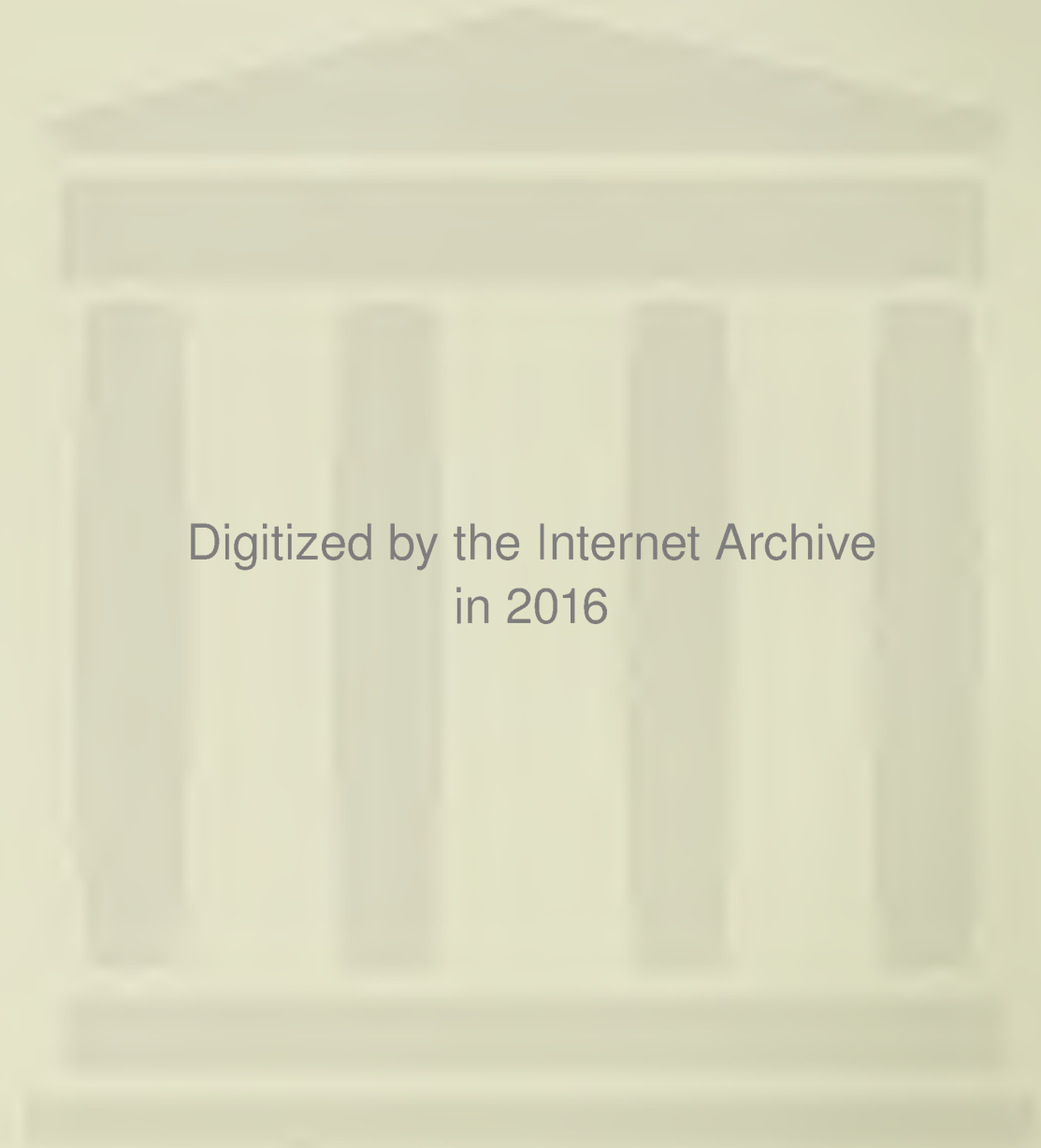

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WARRANT FOR THE ANNUAL TOWN MEETING
APRIL 6, 1985 AND APRIL 29, 1985

C5

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, Viz:

Precinct 1.	The New Town Office Building Gymnasium
Precinct 2.	North Congregational Church Hall
Precinct 3.	Parker School Band Room
Precinct 4.	East Chelmsford School
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westland School Cafeteria
Precinct 7.	North Congregational Church Hall
Precinct 8.	McCarthy Junior High School, Small Gymnasium
Precinct 9.	South Row School Auditorium
Precinct 10.	South Row School Auditorium
Precinct 11.	Westlands School Cafeteria
Precinct 12.	McCarthy Junior High School, Small Gymnasium

On Saturday, the sixth (6th) day of April, 1985, being the first Saturday in said month, at 8:00 A.M., for the following purposes:

To bring in their vote for the following officers:

Two Selectmen for three years

One Assessor for three years

One Member of Board of Health for three years

One Member of School Committee for three years

One Cemetery Commissioner for three years

One Member of Housing Authority for five years

Two Public Library Trustees for three years

One Park Commissioner for three years

Three Planning Board Members for three years

One Sewer Commissioner for three years

and to vote on the following question:

THIS QUESTION IS NON-BINDING

Should the Board of Selectmen vote to establish different percentages of the local tax levy to be borne by different use classifications of real property as set forth in General Law Chapter 59 Section 2A	YES	
	NO	

The polls will be open from 8:00 A.M. to 6:00 P.M.; and to meet in the McCarthy Junior High School Gymnasium on Monday, the twenty-ninth (29th) day of April, 1985, at 7:30 P.M. o'clock in the evening, then and there to act upon the following Articles, Viz:

ARTICLE 1. To hear reports of Town Officers and Committees; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 2. To see if the Town will vote to amend the Personnel Wage and Salary By-Law to be effective July 1, 1985 as follows:

1. Under Section 6, "Classification of Present Town Employees", amend Subsection (E) - "Wage and Salary Schedule" by deleting the existing schedule and substituting the following:

E. WAGE AND SALARY SCHEDULE
JULY 1, 1985 - JUNE 30, 1986

GRADE LEVEL	SALARY RANGE
1A	11,490 - 14,305
1B	12,988 - 16,170
1C	14,486 - 18,035
1D	17,483 - 21,766
2	21,979 - 27,364
3	29,473 - 36,694
4	33,970 - 42,293
5	38,467 - 47,891

2. Under Section 6 subtitled Classification of Present Town Employees, delete Subsection D. and substitute the following in its place:

(D) The wage and salary schedule shall be maintained by the following criteria:

I. There shall be eight salary grade levels designated 1A, 1B, 1C, 1D, 2, 3, 4, 5.

II. The minimum salary for each salary grade shall be determined by the Personnel Board.

III. The maximum salary for each salary grade will be 1.245 times the minimum salary for that grade.

IV. There are 11 steps in each salary grade. Each incremental step is 2.45% of the minimum salary for that grade.

V. The wage and salary schedule will be stated in annual dollars.

VI. Hourly rates for those jobs that are paid on an hourly basis will be the annual salary divided by 2088 (52.2 weeks times 40 hours) for jobs designated "Mechanical and Construction, Conservation and Cemeteries, Custodian and Health" and will be the annual salary divided by 1957.5 (52.2 weeks x 37.5) for jobs designated Administrative and Clerical.

3. Under Section 8 subtitled Increases Within Grade Levels and Promotions, delete paragraph (B) and substitute the following in its place:

(B) Any employee who is at step 1 or above may be advanced to a higher step on the first day of the fiscal year. Such increases are to be based on the employee's job performance and development during the previous year. Performance evaluations for all employees must be submitted to the Personnel Board by the first day in May. Increases greater than one step must be presented in person by the employee's Department Head or equivalent to the Personnel Board. Employees who are at the maximum of their salary grade may also be eligible for a one step merit increase upon approval of the Personnel Board.

4. Under Section 16 subtitled Sick Leave, delete

paragraph (C) and substitute the following in its place:

(C) Accrued sick leave will be paid at the time of retirement, or at death to the employee's surviving spouse, or, if none, to the Representative of the employee's Estate, to the maximum extent of 120 days.

5. Under Section 26 subtitled Bereavement and Funeral Leave, delete paragraph (A) and substitute the following in its place:

(A) All full time permanent employees covered by this plan shall be entitled to leave without loss of pay not to exceed (3) days in the event of the death of the employee's spouse, children, parents, grandparents, mother-in-law, father-in-law, siblings, and grandchildren;

or act in relation thereto.

PERSONNEL BOARD

ARTICLE 2A. To see if the Town will vote to amend the Personnel Wage and Salary By-Law by further amending Section 24, Job Titles and Standard Rates for Wages and Salaries of the Personnel Wage and Salary By-Law, to conform to rates of pay negotiated by the Town with certain labor organizations, pursuant to General Law Chapter 150E, and to reflect current salaries and grade levels under the Personnel By-Law as follows:

ADMINISTRATIVE AND CLERICAL	7/85 - 6/86 PROPOSED LEVEL	PROPOSED SALARY
1. Executive Secretary	4	
2. Town Accountant	3	
3. Veteran's Agent	2	
4. Town Aide	2	
5. Assistant to Assessors	1D	
6. Assistant Town Clerk	1D	
7. Assistant Treasurer	1D	
8. Clerk, Senior	1C	
9. Clerk, Junior	1A	
10. Clerk, Part-Time	1A	
11. Town Counsel		$ 500 P.A.
12. Board of Reg., Three Members		360 EA.
13. Assistant Town Accountant	1D	
CONSERVATION, PARKS AND CEMETERY		
1. Cemetery Superintendent	2	
2. Supt. of Insect & Pest Control	-	1,250 P.A.
3. Landscaper - Park	1A	

CONSERVATION, PARKS & CEMETERY	7/85 - 6/86 PROPOSED LEVEL	PROPOSED SALARY
4. Laborer - Park	1A	
5. Unskilled Laborer	#2, #4	
6. Skilled Forest Workman - Conservation	1A	
7. Equipment Operator	1C	
8. Park Superintendent	2	
CUSTODIAL		
1. Custodian	1B	
LIBRARY		
1. Library Director	3	
2. Library Department Head	1D	
3. Library Specialist	1C	
4. Library Assistant	1B	
5. Library Clerk	1A	
6. Maintenance Assistant	1B	
7. Page	#2, #4	
HIGHWAY DEPARTMENT		
1. Highway Superintendent	3	
2. Highway Foreman	2	
TOWN FIRE DEPARTMENT		
1. Fire Department	#2, #5	
2. Deputy Fire Chief	#2	
3. Captain	#2	
4. Mechanic (Fire and Police)	#2	
TOWN POLICE DEPARTMENT		
1. Police Chief	5	
2. Deputy Chief	4	
3. Captain	3	
RECREATION		
1. Director/Youth Center Coordinator	2	
2. Clerk, Part-Time	1A	
3. Waterfront Director	1A	
4. Swimming Instructor	1A	
5. Lifeguard	1A	
6. Playground Supervisor	1B	
7. Recreation Specialist	1A	

REACREATION	7/85 - 6/86 PROPOSED LEVEL	PROPOSED SALARY
8. Recreation Leader	1A	
9. Youth Center Supervisor	1C	
10. Youth Center Leaders	1A	
OTHER POSITIONS		
1. Building Inspector	3	
2. Electric Inspector	2	
3. Local Inspector	2	
4. Gas Inspector	#2	$6,000 P.A
5. Dog Officer	1C	
6. Assistant Dog Officer	1A	
7. Van Driver	1B	
8. Sealer of Weights & Measures	#2	$2,000 P.A.
9. Animal Inspector	#2	$1,000 P.A.
10. Clock Winder	#2	$ 200 P.A.
11. Town Engineer	3	

FOOTNOTES

#1 - Represented by Collective Bargaining
#2 - Not in "Job Rating Plan"
#4 - Federal Minimum Hour Wage
#5 - Salary will be 200% of the highest paid Union Firefighters established by State Law;
or act in relation thereto.

PERSONNEL BOARD

ARTICLE 3. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period from July 1, 1985 to June 30, 1986; or act in relation thereto.

TOWN TREASURER

ARTICLE 4. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1985; in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17; or act in relation thereto.

TOWN TREASURER

ARTICLE 5. To see if the Town will vote to request the Department of Revenue, Division of Accounts of the Commonwealth of Massachusetts, to make an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

TOWN TREASURER

ARTICLE 6. To see if the Town will vote to pay an additional or subsidiary rate in addition to the payment of fifty percent of a premium for contributory group life, hospital and surgical, medical, dental and other health insurance for employees retired from the service of the Town, and their dependents, in the same proportion as the Town pays said additional or subsidiary rates for active Town employees; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6; or act in relation thereto.

FINANCE COMMITTEE

ARTICLE 8. To see if the Town will vote to rescind the Mobile Home Park Rent Control Act adopted as a By-Law of the Town of Chelmsford at a Special Town Meeting held on January 9, 1984; or act in relation thereto.

PETITION

ARTICLE 9. To see if the Town will vote to transfer the site of the Dog Pound established by Article 1 of the May 16, 1983 Special Town Meeting, from the Police Station located on North Road, to such other site located on Town owned property as determined by the Board of Selectmen; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money for capital improvements throughout the Town and Capital Improvements for the School Department as recommended at Town Meeting by the Capital Planning Committee; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 11. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money for the purpose of implementing a Traffic Control Division within the Police Department; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to publish an additional Town History covering the years 1915 through 1975; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 13. To see if the Town will vote to amend the General By-Laws Article VII miscellaneous by deleting Section 3 Auctions - Sales in its entirety and substitute the following:

Section 3 Auctions - Sales

All auctions and sales in public buildings in the Town of Chelmsford are hereby prohibited except for the purpose of Town business or such other business as may be deemed proper or necessary by the Committee, Board, or Officer having charge of said public building; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 14. To see if the Town will vote to amend the General By-Laws Article VI Police Regulations Section 16 by deleting Section 16. Solicitors in its entirety and substituting the following:

Section 16. Solicitors

No person, corporation or other organization shall solicit orders or subscriptions for goods or services, or sell goods or services door to door, in the Town without first having registered with the Police Department. There shall be no door to door solicitation or selling before 9:00 o'clock in the forenoon or after 6:00 o'clock in the evening; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 15. To see if the Town will vote to amend the

Personnel, Wage, and Salary Administration By-law Section 3, Personnel Board by deleting said Section 3 in its entirety and substituting the following:

3. Personnel Board

This plan shall be administered by the Assistant Superintendent of Schools for Personnel, who shall hereafter be known as the Personnel Administrator. All references to the Personnel Board in these by-laws shall hereafter mean the Personnel Administrator, and the Personnel Administrator shall have all the rights, titles, and obligations granted to the Personnel Board, as governed therein;

or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 16. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any held by the Town, in a certain parcel of land on Wightman Street, shown as Lot 14, Blk 10 on Assessors' Plat 19 and being the premises taken by the Town of Chelmsford by an instrument of taking, dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 152, containing approximately 5,000 square feet, more or less, of land; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 17. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 283 Riverneck Road and being the premises taken by the Town of Chelmsford by an instrument of taking, dated July 29, 1977 and recorded in the Middlesex North District Registry of Deeds in Book 2260, Page 274, containing approximately 24,675 square feet of land, more or less; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 18. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located on Billerica Road, shown as Lots 39A and 42B, Blk 36 on Assessors' Plat 129 and more particularly described in a certificate of title recorded in the Land Court, Middlesex North District Registry of Deeds, Certificate of Title number 6668, Book 36, Page 141; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 19. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 9 Alcorn Road, and being the premises taken by the Town of Chelmsford by an instrument of taking dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 135, containing approximately 1.3 acres of land, more or less,; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 20. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey all right, title, and interest, if any, in a certain parcel of land located at 7 Fourth Avenue, and being the premises taken by the Town of Chelmsford by an instrument of taking, dated December 27, 1973 and recorded in Middlesex North District Registry of Deeds, in Book 2096, Page 686, and shown on Assessors Map 66 as Lot 68, containing approximately 3,240 square feet of land more or less; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 21. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property located on Fletcher Street, in the Town of Chelmsford, and further described as Parcel A and Parcel B as follows:

PARCEL A

A certain parcel of land located on the southerly side of Fletcher Street on the westerly side of Chelmsford Street, Town of Chelmsford, Middlesex County, Massachusetts, and shown as Parcel A on a certain plan entitled "Highway Taking Plan of Land in Chelmsford, Massachusetts", Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc. bounded and described as follows:

Beginning at the westerly corner of the lot at the intersection of lot line and Fletcher Street running along the lot line south 14 -54'-00" west seven (7') feet;

Thence north 75 -06'-00" east approximately one hundred eight (108') feet;

Thence southerly along a curve of thirteen (13') foot radius approximately twenty-eight (28') feet to the

intersection of Chelmsford Street;

Thence north 46 -44'-00" east along Chelmsford Street approximately nine (9') feet;

Thence north 28 -07'-11" west twenty-four and 27/100 (24.27') feet to the intersection with Fletcher Street;

Thence south 75 -06'-00" west along Fletcher Street approximately one hundred eight (108') feet to the point of beginning, containing approximately 800 square feet.

PARCEL B

A certain parcel of land located on the southerly side of Fletcher Street on the westerly side of Chelmsford Street, Town of Chelmsford, Middlesex County, Massachusetts, and shown as Parcel B on a certain plan entitled "Highway Taking Plan of Land in Chelmsford, Massachusetts", Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc. bounded and described as follows:

Beginning at the northerly corner of the lot at the intersection of the lot line and Fletcher Street and running along the lot line south 14 -54'-00" west seven (7') feet;

Thence south 75 -06-00" west approximately fifty-seven (57') feet;

Thence north 43 -51'-00" west approximately thirteen and 5/10 (13.5') feet to the intersection with Fletcher Street;

Thence north 75 -06'-00" east along Fletcher Street approximately fifty-seven (57') feet to the point of beginning, containing approximately 440 square feet;

Said parcel beingfurther shown as Parcel A and Parcel B on a certain plan filed with the Town Engineer entitled, "Highway Taking Plan of Land in Chelmsford, Massachusetts", prepared for the Town of Chelmsford, Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc., Consulting Engineers, 54 Canal Street, Boston, Massachusetts for the purpose of constructing improvements and widening Fletcher Street as part of the Chelmsford Street/Fletcher Street intersection improvements; and to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 22. To see if the Town will vote to determine that there exists a serious public emergency with respect to the housing of a substantial number of citizens in the Town of Chelmsford, which emergency has been created by housing demolition, conversion of apartments to condominium form of ownership deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction, finance and inflation, and which has resulted in a substantial and increasing shortage of rental housing accommodations for families of low and moderate income; that unless residential rents and evictions of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of the Town of Chelmsford; that such emergency should be met immediately and with due regard for the rights and responsibilities of the citizenry of the Town of Chelmsford by petitioning the Great and General Court of the Commonwealth of Massachusetts to enact special Legislation enabling the Town of Chelmsford to amend its code for the purpose of controlling rents and evictions in residential rental housing accommodations. Such Legislation shall read as follows:

SECTION 1. This By-Law shall be known and may be cited as the "CHELMSFORD RENT CONTROL ACT."

SECTION 2. Definitions The Town of Chelmsford may, by By-Law, control rents and evictions for housing accommodations and in furtherance thereof may adopt the following provision in whole or in part:

(A) "Rental units", any building, structure or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(B) "Controlled rental units", all rental units except:

(1) rental units in hotels, motels, inns, tourist homes and rooming or boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January 1, nineteen hundred

and eighty-four, or which are housing units created by conversion from a non-housing to a housing use on or after said date;

(3) rental units, which a governmental unit, agency, or authority either:

(i) owns or operates; or

(ii) regulates the rents, other than units regulated (a) under the provisions of this act or (b) under the provision of Chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty-nine and any act in amendment thereof or in addition thereto, or (c) under the provisions of any other general or special law authorizing municipal control of rental levels for all or certain rental units with a municipality; or

(iii) finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum, college or school dormitory operated exclusively for charitable or educational purposes or any public institution operated exclusively for charitable or educational purposes; or rental units in a nursing home, rest home, or charitable home for the aged, not organized or operated for profit;

(6) the rental unit or units in an owner-occupied two-family or three-family house;

(7) rental units for which the rent charges exceed limits specified by the Board of Selectmen; provided that in no event shall more than twenty-five percent of the total rental units in the Town of Chelmsford be exempted under this subsection.

(C) "Rent", the consideration including any bonus or gratuity demanded or received for or in connection with the use or occupancy of rental units.

(D) "Services", repairs, replacements, maintenance, painting, providing light, heat hot and cold water,

elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, and any other benefit, privilege or facility connected with the use of occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

SECTION 3. Chelmsford Rent Control Board: There is hereby establish a Chelmsford Rent Control Board consisting of five residents of the Town of Chelmsford to be appointed by the Board of Selectmen of the Town of Chelmsford.

SECTION 4. Duties and Powers:

(1) The Rent Board shall set maximum rents, set minimum standards for use or occupancy of controlled rental units and evictions of tenants therefrom; may require information of owners of said controlled rental units relating to said controlled rental units under penalties of perjury.

(2) The Rent Board may make rules and regulations, sue and be sued, compel attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner of and tenants in such controlled rental units.

SECTION 5. Standards for Adjusting Rents:

(1) The Rent Board may make individual or general adjustments, either upward or downward, as may be necessary to assure that rents for controlled rental units are established on levels which yield to owners a fair net operating income for such units.

(2) Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property, equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the Rent Board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(3) Fair market value shall be the assessed valuation of the property or such other valuation as the Rent Board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(4) The Rent Board may establish further standards and

rules consistent with the foregoing.

SECTION 6. Summary Process: The Rent Board may regulate evictions of tenants from controlled rental units and may issue orders which shall be a defense to an action of summary process for possession.

SECTION 7. Review:

(1) The Rent Board and its actions shall be subject to the provisions of Massachusetts General Laws, Chapter 30A, (Administrative Procedure Act) as if the Rent Board were an agency of the Commonwealth of Massachusetts.

(2) The District Court of Lowell shall have original jurisdiction, concurrently with the Superior Court, of all petitions for review brought pursuant to Section Fourteen of Chapter 30A of the General Laws.

(3) The Superior Court shall have jurisdiction to enforce the provisions of the By-Law, and may restrain by injunction violations thereof.

SECTION 8. Maximum Rent:

(1) The maximum rent of a controlled rental unit shall be the rent charged the occupant for the month six months prior to the acceptance of the Article by Town Meeting. If the controlled rental unit was unoccupied at the time but was occupied at any time prior to acceptance of this act, the maximum rent shall be the rent charged therefore for the month closest to and prior to six months prior to the acceptance of this Article by Town Meeting.

(2) If the maximum rent is not otherwise established, it shall be established by the Rent Board. Any maximum rent may be subsequently adjusted under the provisions of Sections 4 and 5.

SECTION 9. Penalties: Violations of this By-Law or any order of the Board shall be punishable by a fine of not more than one thousand dollars ($1,000) for any one offense.

SECTION 10. Severability: If any provisions of this By-Law shall be held invalid, the validity of the remainder of this By-Law shall not be affected thereby; or act in relation thereto.

PETITION

ARTICLE 23. To see if the Town will vote to amend the

Zoning By-Law and Zoning Map to change from Single Residence District (RA and RB)) to Multiple Residence District (RM) the following land:

A parcel of land shown as parcel A on a plan entitled "Plan off Land in Chelmsford, Mass., prepared for Peter Demogenes, Inc.", dated April, 1978, by Emmons, Fleming & Bienvenu, Inc. recorded with Middlesex North Registry of Deeds in Plan Book 126, Plan 54,

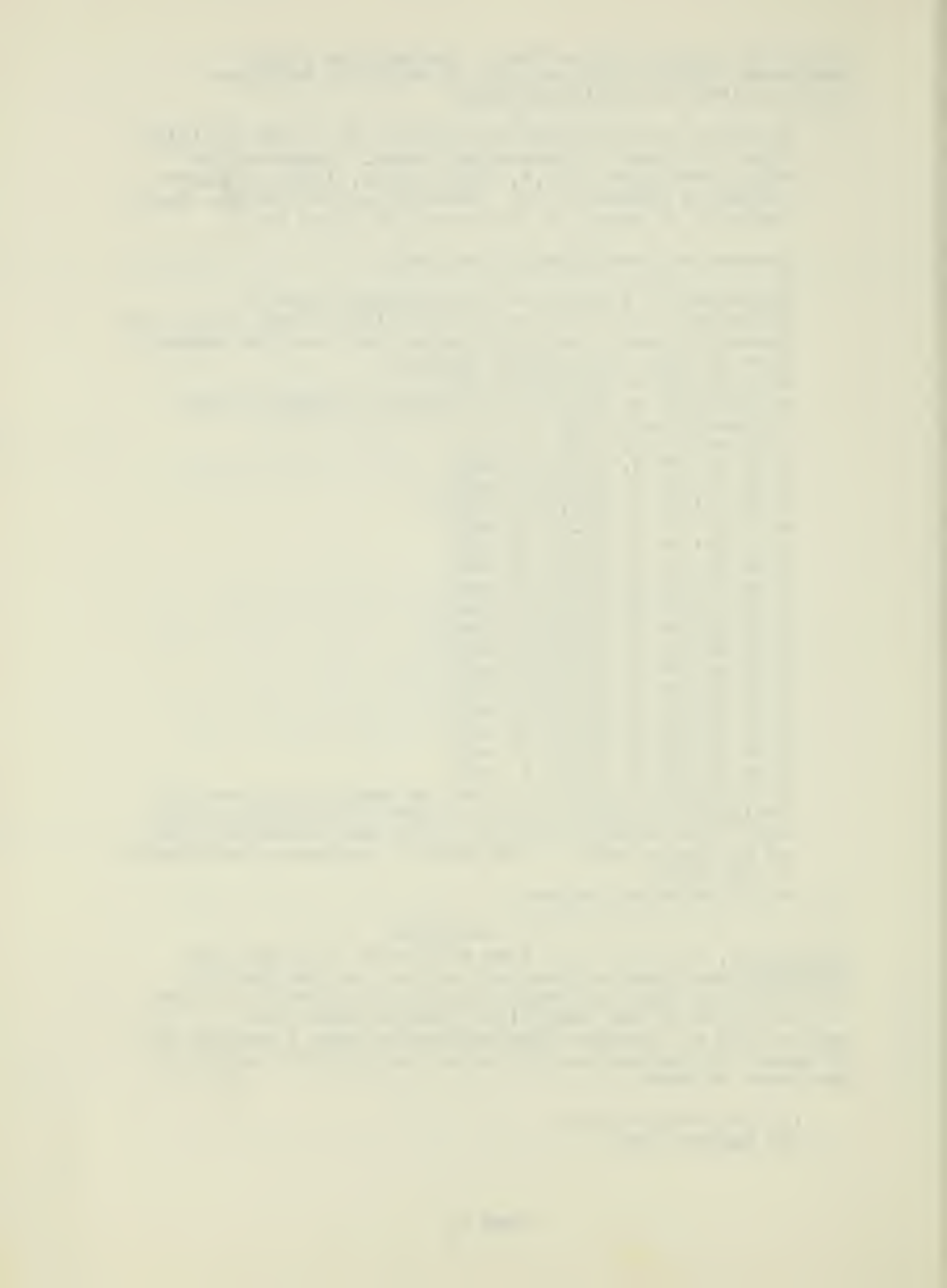
Bounded and described as follows:

Beginning at a point on the Northerly side of Littleton Road said point being 2177.04 feet along the Easterly line of said Littleton Road from the Easterly line of Hunt Road thence running:
N 16 13'19" W, 179.77 ft and;
N 35 04'03" W, 583.55 ft by parcel 3 shown of the aforementioned plan
N 61 43'30" E, 1.53 ft and;
N 00 22'39" W, 62.43 ft and;
N 27 29'47" E, 28.01 ft and;
N 50 14'53" E, 168.75 ft and;
N 51 25'55" E, 52.00 ft and;
N 57 07'55" E, 72.22 ft and;
N 82 52'55" E, 32.16 ft and;
S 54 37'36" E, 67.00 ft and;
S 28 06'17" E, 140.32 ft and;
S 30 33'25" E, 109.54 ft and;
S 18 04'02" E, 65.97 ft and;
S 21 14'38" E, 45.23 ft and;
S 15 48'36" E, 120.84 ft and;
S 19 08'21" E, 40.84 ft and;
S 38 33'00" W, 80.45 ft and;
S 34 10'30" W, 93.28 ft and;
S 26 07'11" W, 69.48 ft and;
S 42 02'28" E, 156.45 ft and by Land of the Town of Chelmsford to said Northerly line of Littleton Road and; S 54 47'46" W, 150.00 ft by said Northerly line of Littleton Road to the point of beginning containing 5.632 acres;
or act in relation thereto.

PETITION

ARTICLE 24. To see if the Town will vote to accept the following mentioned streets as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and to raise and appropriate or transfer from available funds a certain sum of money for the purpose of reconstructing the following mentioned streets:

(1) Sturbridge Drive
(2) Matthew Lane



(3) Penni Lane

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 25. To see if the Town will vote to accept Monmoth Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and to raise and appropriate, or transfer from available funds, a certain sum of money for the purpose of reconstructing Monmoth Street, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; or act in relation thereto.

PETITION

ARTICLE 26. To see if the Town will vote to accept Locust Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and to raise and appropriate, or transfer from available funds, a certain sum of money for the purpose of reconstructing Locust Street, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 27. To see if the Town will vote to accept Wiggins Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and to raise and appropriate, or transfer from available funds, a certain sum of money for the purpose of reconstructing Wiggins Street, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 28. To see if the Town will vote to amend the Zoning By-Law Article I Administration and Procedure Section 1400 Planning Board by deleting Subsection 1425 in its entirety and substituting the following:

1425 - A special permit may be granted by the Planning Board

upon its determination that the following minimum standards have been met or exceeds:

a. The requirements of Section 1520 - Special Permit Criteria.

b. The applicable requirements of Section 4500 - Major Business Complexes.

c. Ingress/egress is in accordance with Section 3144 - (Parking) and internal circulation is designed to control access to points of ingress/egress using smooth flow of traffic.

d. Access from minor streets serving residential neighborhoods shall not be used unless the applicant can clearly demonstrate a need for use of such road(s).

e. Parking areas shall be screened to minimize floodlight and headlight glare and to confine vehicles to the parking area and to restrict them from using adjacent properties. As a minimum, parking shall be designed in accordance with Section 3100 - Off-Street Parking and Loading and Section 3423 - (Screening).

f. Adequate access to each structure for fire emergency and service equipment is provided. This shall mean that where possible, no parking shall be within 35 feet of the building and that access shall be provided to all sides of the structure.

g. Statements on the adequacy and availability of water and sanitary facilities for the proposed development, from the appropriate agency shall be submitted by the applicant.

h. Storm drainage proposals conform to the requirements of the Chelmsford Subdivision Regulations.

i. Major topographic changes or removal of existing trees or other important natural elements of the site will be minimized. All grading shall conform to Section 3410 - Grading.

j. Effective use is made of the topography, landscaping, building placement and building design to maintain to the degree feasible, the character of the neighborhood. A reasonable degree of compatibility between the proposed development and adjacent areas must be maintained. This will be done through the use of natural buffer-strips and screening; and through the location of like uses or like intensity along the boundary where other uses, particularly residential uses, exist or are permitted.

k. Along with the site plan, the applicant shall submit a certification by a registered professional engineer that the proposal conforms to Section 3200 - Environmental Protection Standards. In addition, the applicant shall submit an affidavit acknowledging his understanding of this standard and his or his successors continuing agreement to comply with it.

l. The amount of parking is in conformance with Section 3100 - Off-Street Parking and Loading and where fifty (50) or more cars are to be located in a parking lot, raised planting strips, trees and landscape features shall be used to control traffic patterns across the paved areas.

m. Pedestrian circulation is provided for within the development and there is a rational linkage of the system within the development to existing or potential circulation outside.

n. That all other requirements of this By-Law applicable to the site plan have been satisfied.

To the extent permitted by law, the effective date of this amendment shall be the date of approval of the amendment to the By-Laws by the Office of the Attorney General of the Commonwealth of Massachusetts as required by Chapter 40 Section 32;
or act in relation thereto.

PLANNING BOARD

ARTICLE 29. To see if the Town will vote to amend the Zoning By-Law Article II. District Regulations Section 2500 Intensity of Use Regulation, by deleting Subsection 2550 in its entirety and substituting the following:

2550 - Erection of More Than One Principal Building on a Lot

No more than one principal residential building shall be permitted on a lot except in the case of motels, hotels, mobile home parks and multi-family structures which shall be reviewed by the Planning Board in accordance with Section 1420 - Site Plan Review. In any commercial or industrial district, more than one principal building or structure may be erected or moved onto a lot provided that area, frontage, lot coverage and yard requirements can be met as though each structure were located on an individual lot, and provided that the plans therefore are reviewed by the Planning Board in accordance with Section 1420;
or act in relation thereto.

PLANNING BOARD

ARTICLE 30. To see if the Town will vote to amend the Zoning By-Law Article III General Regulations, Section 2100 Off Street Parking and Loading Subsection 3120 Number of Spaces by deleting the first paragraph in its entirety and substituting the following:

3120 - Number of Spaces For the purpose of computing the parking requirements of difference uses, the number of spaces required shall be the largest whole number obtained after increasing all fractions upwards to one. Employees shall include the largest number of owners, managers, full and part-time workers, and volunteers that may be normally expected on the premises during any single shift or portion thereof. The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at twenty inches for each seat. Parking spaces including isles shall be no less than 350 square feet per vehicle with a minimum width of 8.5 feet and a minimum length of 18 feet. The following minimum parking requirements shall apply to uses as listed below:

or act in relation thereto.

PLANNING BOARD

ARTICLE 31. To see if the Town will vote to amend the Zoning By-Law Article II District Regulations, Section 2300 Use Regulation Schedule - Residential Uses to read as follows:

"Conversion of Dwellings "
(see Section 2560)

RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX
0	0	P	P	0	P	0	P	P	0	0	0

or act in relation thereto.

PLANNING BOARD

ARTICLE 32. To see if the Town will vote to amend the General By-Laws Article VI Police Regulations by deleting Section 20 Prohibition on Unauthorized Parking in Designated Handicapped Parking Spaces in Private or Public Ways in its entirety and substitute the following:

Section 20. Prohibition on Unauthorized Parking in Designated Handicapped Spaces in Private or Public Ways.

1. It shall be unlawful to park a motor vehicle in a parking space reserved and designated for use by vehicles of handicapped persons, whether located on public or private ways or properties, unless authorized to do so by the terms of this by-law or the General Laws of the Commonwealth of Massachusetts.

2. A fine of $15.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and

designated for use by vehicles of handicapped persons, pursuant to the authority of Chapter 90, Section 20C of the Massachusetts General Laws.

3. The Police Department and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away, or have removed and towed away by commercial towing services, at the sole expense of the owner of said motor vehicle, any motor vehicle left unattended or parked in a parking space reserved and designated for use by a vehicle of a handicapped person, unless said vehicle shall be designated as a vehicle of a handicapped person. Motor vehicles so towed away shall be stored in a safe place and restored to the owner or operator thereof upon payment by the owner or operator of the expenses incurred in said removal and storage.

4. (a) The person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a handicapped person whose vehicle bears the distinguishing license plate authorized by section two of chapter ninety, according to the following formula;

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four, more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one-half of one percent of such spaces but not less than thirty.

(b) Parking spaces designated as reserved under the provisions of paragraph (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped

Parking; Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet of cross hatch between them.

5. Violation of this By-Law shall be punishable as provided in General By-Law, Article I.

6. In the absence of the operator of any motor vehicle violating any provisions of the By-Law, it shall be deemed that the registered owner of such vehicle was the operator.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed sixty (60) days from the date of issue and shall be displayed in front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $50.00.

9. Each day that any violation continues shall constitute a separate offense;

or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 33. To see if the Town will vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from Adult Entertainment District (CX) to Multiple Residence District (RM) the following described parcels:

PARCEL ONE

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 35± west of the culvert in Scotty Hollow Brook;

Northerly through land of the Town of Chelmsford 390± feet;

Southwesterly by land of the H. E. Fletcher Company, 210± feet;

Southerly by land of Hicks, 305± feet;

Northeasterly by land of Hicks, 175± feet;

Containing, according to said plan, approximately 1.33± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 660± feet southwest of the southwest corner of the Town Salt Shed Building;

Southeasterly by land of G. Abrahamson, 200± feet;

Northeasterly by land of Smith, 30± feet;

Northwesterly by land of Sugen, 45± feet;

Northerly by land of Sugden, 80± feet;

Northeasterly by land of Sugden, 110± feet;

Westerly through land of the Town of Chelmsford, 175± feet.

Containing, according to said plan, approximately 0.33± acres of land.

Said Plan being filed with the Town Engineer and Planning Board; or act in relation thereto.

PLANNING BOARD

ARTICLE 34. To see if the Town will vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from Adult Entertainment District (CX) to General Residence District (RC) the following parcel:

The land in Chelmsford, Middlesex County Massachusetts situated in a westerly direction from Swain Road, being

shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 160± feet north of the northwest corner of the Town Salt Shed Building;

Northwesterly by land of the Lowell Sportsmen's Club, 725± feet;

Southwesterly by land of the H. E. Fletcher Company, 445± feet;

Southeasterly through land of the Town of Chelmsford, 510± feet;

Northeasterly through land of the Town of Chelmsford, 305± feet;

Containing according to said plan, approximately 4.94± acres of land.

Said plan being filed with the Town Engineer; or act in relation thereto.

PLANNING BOARD

ARTICLE 35. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in three (3) parcels being a portion of land at the property now or formerly known as the Swain Road Landfill and more particularly described as follows:

PARCEL ONE

The land in Chelmsford, Middlesex County Massachusetts situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 160± feet north of the northwest corner of the Town Salt Shed Building;

Northwesterly by land of the Lowell Sportsmen's Club, 725± feet;

Southwesterly by land of the H. E. Fletcher Company, 445± feet;

Southeasterly through land of the Town of Chelmsford, 510± feet;

Northeasterly through land of the Town of Chelmsford, 305± feet;

Containing according to said plan, approximately 4.94± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 35± west of the culvert in Scotty Hollow Brook;

Northerly through land of the Town of Chelmsford 390± feet;

Southwesterly by land of the H. E. Fletcher Company, 210± feet;

Southerly by land of Hicks, 305± feet;

Northeasterly by land of Hicks, 175± feet;

Containing, according to said plan, approximately 1.33± acres of land.

PARCEL THREE

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 660± feet southwest of the southwest corner of the Town Salt Shed Building;

Southeasterly by land of G. Abrahamson, 200± feet;

Northeasterly by land of Smith, 30± feet;

Northwesterly by land of Sugen, 45± feet;

Northerly by land of Sugden, 80± feet;

Northeasterly by land of Sugden, 110± feet;

Westerly through land of the Town of Chelmsford, 175± feet.

Containing, according to said plan, approximately 0.33± acres of land.

Said Plan being filed with the Town Engineer and Planning Board; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 36. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple, by purchase, by eminent domain or otherwise the following two parcels located at the property now or formerly known as the Swain Road Landfill and more particularly described as follows:

PARCEL ONE

The land in Chelmsford, Middlesex County, Massachusetts, situated approximately 1,800 feet in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 70± feet east of the culvert in Scotty Hollow Brook;

Southeasterly through land of Hicks, 110± feet;

Northeasterly through land of Hicks and Leedburg, 390± feet;

Northeasterly through land of F. Abrahamson & G. Abrahamson, 200± feet;

Northwesterly by land of the Town of Chelmsford, 70± feet;

Southwesterly by land of the Town of Chelmsford, by three courses, 320± feet, 170± feet and 80± feet;

Westerly by land of the Town of Chelmsford, 55± feet.

Containing, according to said plan, approximately 1.30± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a utility pole along the west side of

Swain Road located 100± feet north of the Town Landfill Old Access Road;

Westerly through land of the Lowell Sportsmens Club, 620± feet;

Northerly through land of the Lowell Sportsmens Club, 245± feet;

Westerly through land of the Lowell Sportsmens Club, 275± feet;

Southeasterly by land of the Town of Chelmsford, 505± feet;

Easterly by land of Sugden, 105± feet;

Northeasterly by land of Sugden, 230± feet;

Southeasterly by land of Sugden, 330± feet;

Southeasterly by land of Sugden, 115± feet;

Northerly by Swain Road by three courses, 140± feet, 65± feet, 100± feet.

Containing, according to said plan, approximately 4.55± acres of land.

Said plan being on file with the Town Engineer and Planning Board and, to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking or purchase; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 37. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple by purchase by eminent domain, or otherwise, the property with the buildings thereon beginning at the most northwesterly corner of the parcel at the intersection of the lot line and the Lowell-Chelmsford boundary line, running along said lot line south 02 10' 00" east two hundred thirty-three and 97/100 (233.97') feet;

Thence north 75 06' 16" east one hundred fifty and 63/100 (150.63') feet;

Thence south 12 58' 35' east seven hundred seventeen and 78/100 (717.78') feet;

Thence south 73 17' 25" west twenty and 04/100 (20.04') feet;

Thence south 52 23' 46" east six hundred thirty-one and 55/100 (631.55') feet;

Thence south 34 39' 24" east ninety-six and 94/100 (96.94') feet;

Thence northeasterly along the boundary of U.S. Route 3 having a radius of 4,750 feet and a length of 1,435± feet to the intersection with the westerly boundary of Steadman Street;

Thence northwesterly along the westerly boundary of Steadman Street approximately six hundred thirty-six (636'±) feet to the Lowell-Chelmsford boundary;

Thence north 77 13' 56" west approximately one thousand nine hundred (1,900±) feet to the point of beginning, containing approximately 40.5 acres.

and further shown as Parcel A on a certain plan on file with the Town Clerk and the Town Engineer, entitled "Resource Recovery Facility Taking prepared for the Town of Chelmsford, Massachusetts, Scale 1" = 100', March 20, 1985, by James E. Pearson, P. E., Chelmsford Town Engineer, for the purpose of constructing, a resource recovery facility and to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking;
or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 38. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing all documentation required for the design, and implementation of a resource recovery facility and further to authorize the Board of Selectmen to negotiate and execute all contracts and agreements, including intermunicipal agreements and agreements with private industry, for the purpose of construction, leasing and/or implementation of said resource recovery facility and to act with the authority granted pursuant to Chapter 40D of the General Laws if deemed in the best interest of the Town, and further to authorize the Board of Selectmen to execute all necessary and proper contracts and agreements,

and further to see if the Town will raise and appropriate, transfer of available funds or borrow a certain amount of money to defray all necessary costs, fees, and expenses; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 39. To see if the Town will vote to amend the Zoning By-Law of the Town of Chelmsford, and the Zoning Map referred to therein, to change from Limited Industrial District (IA) to Special Industrial District (IS) the following described portion of land in Chelmsford beginning at the most northwesterly corner fo the parcel at the intersection of the lot line and the Lowell-Chelmsford boundary line, running along said lot line south 02 10' 00" east two hundred thirty-three and 97/100 (233.97') feet;

Thence north 75 06' 16" east one hundred fifty and 63/100 (150.63') feet;

Thence south 12 58' 35' east seven hundred seventeen and 78/100 (717.78') feet;

Thence south 73 17' 25" west twenty and 04/100 (20.04') feet;

Thence south 52 23' 46" east six hundred thirty-one and 55/100 (631.55') feet;

Thence south 34 39' 24" east ninety-six and 94/100 (96.94') feet;

Thence northeasterly along the boundary of U.S. Route 3 having a radius of 4,750 feet and a length of 1,435± feet to the intersection with the westerly boundary of Steadman Street;

Thence northwesterly along the westerly boundary of Steadman Street approximately six hundred thirty-six (636'±) feet to the Lowell-Chelmsford boundary;

Thence north 77 13' 56" west approximately one thousand nine hundred (1,900±) feet to the point of beginning, containing approximately 40.5 acres, and further shown as parcel A on a certain plan on file with the Town Clerk, the Town Engineers and the Planning Board, entitled "Resource Recovery Facility Taking, Chelmsford, Massachusetts", scale 1" = 100' March 20, 1985, by James E. Pearson, P. E., Chelmsford Town Engineer, for the purpose of constructing a resource recovery facility;

or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 39. To see if the Town will vote to authorize the Board of Selectmen for consideration to be determined to convey all right, title, and interest, if any held by the Town, in a parcel of land known as the North School and containing approximately 16.5 acres of land, more or less, and being a portion of property taken by the Town of Chelmsford by order of taking dated January 17, 1951, recorded in the Middlesex North District Registry of Deeds in Book 1161, Page 258, for the exclusive and specific use of Elderly Housing; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 40. To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

FINANCE COMMITTEE

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting.

Given unto our hands this 28th day of March, A.D. 1985.

Bonita A. Towle, Chairman

Dennis J. Ready

Paul C. Hart

John P. Emerson, Jr.

Roger Blomgren

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 28, 1985

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafetorium; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; South Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

WARRANT FOR SPECIAL TOWN MEETING

APRIL 29, 1985

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth, aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in the McCarthy Junior High School Gymnasium on Monday evening, the twenty-ninth day of April 1985, at 8:00 o'clock P.M., then and there to act upon the following Articles, Viz:

ARTICLE 1. To see if the Town will vote to transfer from available funds a certain sum of money to the appropriate salary line items to fund approved wage and salary increases in the following departmental accounts:

Accounting Department
Assessors Department
Board of Appeals
Cemetery Department
Conservation Commission
Inspection Department
Planning Board
Public Buildings Department
Registrars Department
Town Clerk Department
Treasurer/Collector Department
Veterans Benefits Department

and any other departmental budget recommended by the Board of Selectmen at Town Meeting; or action relation thereto.

Board of Selectmen

ARTICLE 2. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing all documentation required for the design, and implementation of a resource recovery facility and further to authorize the Board of Selectmen to negotiate and execute all contracts and agreements, including intermunicipal agreements and agreements with private industry, for the purpose of construction, leasing and/or implementation of said resource recovery facility and to act with the authority granted pursuant to Chapter 40D of the General Laws if deemed in the best interest of the Town, and further to authorize the Board of Selectmen to execute all necessary and proper contracts and agreements,

and further to see if the Town will raise and appropriate, transfer of available funds or borrow a certain amount of money to defray all necessary costs, fees, and expenses; or act in relation thereto.

Board of Selectmen

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting.

Given unto our hands this 8th day of April, A.D. 1985.

Bonita A. Towle, Chairman

Dennis J. Ready, Vice Chairman

John P. Emerson, Jr., Clerk

Roger A. Blomgren, Member

Paul C. Hart, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. APRIL 12, 1985

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafetorium; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; South Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

*Indicates candidate for re-election

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
SELECTMAN 3 yrs (2)													
John P. Emerson Jr*	100	52	100	41	77	79	52	64	49	65	66	70	815
Bonita A. Towle*	82	48	86	58	83	81	45	67	44	63	64	59	780
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	60	40	64	29	50	74	35	63	55	84	42	53	649
TOTAL	242	140	250	128	210	234	132	194	148	212	172	182	2244
ASSESSOR 3 yrs													
James H. McBride*	93	52	100	49	82	87	46	63	51	62	61	73	819
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	28	18	25	15	23	30	20	34	23	44	25	18	303
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
BOARD OF HEALTH MEMBER 3 Yrs													
Paul F. McCarthy*	99	58	100	50	82	88	56	72	51	65	66	69	856
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	22	12	25	14	23	29	10	25	23	41	20	22	266
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
SCHOOL COMMITTEE MEMBER 3 Yrs													
Nicholas Gavriel*	92	46	85	46	70	85	34	53	48	62	60	61	742
All Others	0	0	0	0	0	0	0	1	0	0	0	1	2
Blanks	29	24	40	18	35	32	32	43	26	44	26	29	378
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
CEMETERY COMMISSIONER 3 Yrs													
Everett V. Olsen*	91	57	96	53	82	91	59	68	52	65	69	68	851
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	30	13	29	11	23	26	7	29	22	41	17	23	271
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
HOUSING AUTHORITY 5 Yrs													
Ruth K. Delaney*	92	62	104	51	84	96	52	69	53	71	72	69	875
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	29	8	21	13	21	21	14	28	21	35	14	22	247
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
PUBLIC LIBRARY TRUSTEE 3 Yrs (2)													
Mark W. Gauthier	94	45	91	44	69	77	46	58	45	59	60	62	750
Susan G. Cantin	82	48	102	49	76	75	46	67	49	70	66	62	792
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	66	47	57	35	65	82	40	69	54	83	46	58	702
TOTAL	242	140	250	128	210	234	132	194	148	212	172	182	2244

* Indicates candidate for re-election

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
PARK COMMISSIONER 3 Yr													
Robert L. Wetmore*	89	55	91	45	78	86	53	71	47	66	68	66	815
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	32	15	34	19	27	31	13	26	27	40	18	25	307
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
PLANNING BOARD 3 Yrs (3)													
Charles A. Parlee*	93	49	91	43	84	77	46	55	42	63	56	67	766
Roselind M. Boyle*	76	43	89	42	78	69	42	58	40	62	51	58	708
Henrick R.Johnson Jr.*	74	41	86	42	73	74	46	55	43	62	56	59	711
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	120	77	109	65	80	131	64	123	97	131	95	89	1181
TOTAL	363	210	375	192	315	351	198	291	222	318	258	273	3366
SEWER COMMISSIONER 3 Yrs													
Stephen M. Curran	51	35	54	19	56	48	35	38	12	50	32	42	472
Barry B. Balan	65	31	69	40	45	66	29	58	61	50	52	45	611
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	5	4	2	5	4	3	2	1	1	6	2	4	39
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122
QUESTION													
Yes	69	41	78	39	60	75	37	52	37	70	52	60	670
No	33	13	22	17	24	21	22	22	20	17	20	23	254
Blanks	19	16	25	8	21	21	7	23	17	19	14	8	198
TOTAL	121	70	125	64	105	117	66	97	74	106	86	91	1122

ANNUAL TOWN MEETING

APRIL 29, 1985

The Annual Town Meeting was called to order at 7:40 PM by the Moderator Dennis McHugh who recognized the presence of a quorum, at the McCarthy Junior High Gym.

Selectman Ready moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Ready then moved that the reading of the entire warrant be waived. It was so voted, unanimously.

George Ripsom, Chairman of the Finance Committee moved to recess the Annual Town Meeting at 7:43 PM, in order to conduct a Public Budget Hearing of Federal Revenue Sharing Funds. Motion carried, unanimously.

George Ripsom discussed the Federal Revenue Sharing. The sum of $700,000.00 will be available for use in fiscal year 1985-1986, and will be allocated as follows: Fire Department Salaries $300,000.00, PoliceDepartment Salaries $300,000.00. The Highway Department Expenses will be $100,000.00. These amounts will be reflected in the department's budgets. The sum of $700,000.00 represents approximately 80¢ on the tax rate. The Moderator asked for any discussion or questions, hearing none George Ripsom moved to have the Town Meeting Body accept for approval the Federal Revenue Sharing Funds amounts as presented. Motion carried, unanimously.

The Moderator reconvened the Annual Town Meeting at 7:50 PM.

UNDER ARTICLE 1 Selectman Dennis Ready moved that the reports of Town Officers and Committees be heard.

Selectman Ready moved to hear nominations from the floor for the Varney Playground Commission. Motion Carried. Selectman Ready moved to nominate Bernard Battles for a three year term. The Moderator asked for any more nominations from the floor, hearing none, the Moderator declared that nominations were closed. The Moderator then asked for a voice vote on Bernard Battles as commissioner for three years. It was so voted

The Moderator then explained the procedure of the Town Meeting rules of order. If a voter/or official wanted to amend an article then they must do so in writing with the Town Clerk. Then the voter/official could explain to the Town Meeting Body the purpose of their amendment. Voice votes would be taken, and if necessary, hand counts would be taken, if passed then another vote would be required on the article as amended. He asked for co-operation from the Town Meeting Body and the Officials to keep the length of debate at a minimum. He then explained the procedure required for moving the question which is to stop debate.

UNDER ARTICLE 2 Chairman of the Personnel Board, Alan Murphy explained the article. The Board had done surveys with surrounding area town's like Chelmsford, and decided to drop the fifteen steps and twenty grade levels on the present salary schedule to eight grade levels and eleven steps. The town employee's left under the Personnel Board's jurisdiction did not have any salaries which fell into a lot of the grades and steps of the original schedule due to this fact the board at this time felt the need was there to update the schedule. George Ripsom of the Finance Committee moved to accept all of article two but wanted to amend the article to reflect the original schedule of fifteen steps and twenty grade levels. Alan Murphy spoke against the motion. A voice vote was taken, motion defeated. A voice vote was taken on article two motion carried. The article reads as follows:

Chairman of the Personnel Board, Alan Murphy, moved that the Town vote to amend the Personnel Wages and Salary By-Law to be effective July 1, 1985, as follows:

1. Under Section 6, "Classification of Present Town Employees", amend Subsection (E) - "Wage and Salary Schedule" by deleting the existing schedule and substituting the following:

E. WAGE AND SALARY SCHEDULE
JULY 1, 1985 - JUNE 30, 1986

GRADE LEVEL	SALARY RANGE
1A	11,490 - 14,305
1B	12,988 - 16,170
1C	14,486 - 18,035
1D	17,483 - 21,766
2	21,979 - 27,364
3	29,473 - 36,694
4	33,970 - 42,293
5	38,467 - 47,891

2. Under Section 6 subtitled Classification of Present Town Employees, delete Subsection D. and substitute the following in its place:

(D) The wage and salary schedule shall be maintained by the following criteria:

I. There shall be eight salary grade levels designated 1A, 1B, 1C, 1D, 2, 3, 4, 5.

II. The minimum salary for each salary grade shall be determined by the Personnel Board.

III. The maximum salary for each salary grade will be 1.245 times the minimum salary for that grade.

IV. There are 11 steps in each salary grade. Each incremental step is 2.45% of the minimum salary for that grade.

V. The wage and salary schedule will be stated in annual dollars.

VI. Hourly rates for those jobs that are paid on an hourly basis will be the annual salary divided by 2088 (52.2 weeks times 40 hours) for jobs designated "Mechanical and Construction, Conservation and Cemeteries, Custodian and Health" and will be the annual salary divided by 1957.5 (52.2 weeks x 37.5) for jobs designated Administrative and Clerical.

3. Under Section 8 subtitled Increases Within Grade Levels and Promotions, delete paragraph (B) and substitute the following in its place:

(B) Any employee who is at step 1 or above may be advanced to a higher step on the first day of the fiscal year. Such increases are to be based on the employee's job performance and development during the previous year. Performance evaluations for all employees must be submitted to the Personnel Board by the first day in May. Increases greater than one step must be presented in person by the employee's Department Head or equivalent to the Personnel Board. Employees who are at the maximum of their salary grade may also be eligible for a one step merit increase upon approval of the Personnel Board.

4. Under Section 16 subtitled Sick Leave, delete paragraph (C) and substitute the following in its place:

(C) Accrued sick leave will be paid at the time of retirement, or at death to the employee's surviving spouse, or, if none, to the Representative of the employee's Estate, to the maximum extent of 120 days.

5. Under Section 26 subtitled Bereavement and Funeral Leave, delete paragraph (A) and substitute the following in its place:

(A) All full time permanent employees covered by this plan shall be entitled to leave without loss of pay not to exceed (3) days in the event of the death of the employee's spouse, children, parents, grandparents, mother-in-law, father-in-law, siblings, and grandchildren.

Selectman Ready moved at this time to recess the Annual Town Meeting in order to proceed with the Special Town Meeting which was posted to begin at 8:00 PM. The Moderator asked for a voice vote, motion carried, unanimously.

SPECIAL TOWN MEETING
April 29, 1985

The Special Town Meeting was called to order by the Moderator, there were 441 voters present at the McCarthy Junior High Gym.

Selectman Ready moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Ready then moved that the reading of the entire warrant be waived. It was so voted, unanimously.

UNDER ARTICLE 1 Selectman Ready explained that these figures presented before the Town Meeting body were as a result of the Town Hall union negotiations contract. The Employee's had been without a contract since July 1, 1984 and recommended passage. The Finance Committee recommend the article. James Doukszewicz Treasurer/Tax Collector spoke in favor. The Moderator asked for a voice vote, motion carried, unanimously. The Article reads as follows:

Chairman of the Board of Selectman Dennis Ready, moved that the Town vote to transfer from the Reserve Fund the sum of twenty-nine thousand eight hundred twenty-one ($29,821.00), to be transferred to the following salary and expense line items in the indicated specific amounts to fund approved wage and salary increases and expense allocations in the following departmental accounts:

Accounting Department: Line Item #1. - Salaries	$1,890
Board of Appeals: Line Item #6. - Expense	874
Assessors Department: Line Item #7. - Salaries	2,971
Cemetery Department: Line Item #11. - Salaries	3,211
Conservation Commission: Line Item #17. - Expense	1,311
Inspection Department: Line Item #48. - Salaries	2,200
Planning Board: Line Item #65. - Expense	1,907
Public Buildings Department: Line Item #73. - Salaries	2,969
Registrars Department: Line Item #80. - Salaries	1,881
Town Clerk Department: Line Item #94. - Salaries	3,296
Town Treasurer/Collector Department: Line Item #97. - Salaries	6,300
Veterans Benefits Department: Line Item #106. - Salaries	1,011
	$29,821

UNDER ARTICLE 2 Selectman Ready explained the purpose of this article. Due to the need of questions that needed answers and the question of legal rights, the Board of Selectmen felt that the Town should be made aware of everything possible before any decisions are made. After a lengthy discussion, Leo Paradis moved to amend the article, he felt that the present wording was too involved, if basically all the Board was trying to do was to hire people for obtaining information. He felt that certain words made it sound like a permanent contract. His wording was submitted as a amendment. The Moderator asked for further discussion, hearing none he asked for a voice vote on the motion to amend, motion carried. He then asked for a voice vote on the main motion as amended, motion carried, the article reads as follows:

Selectman Ready moved that the Town vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing all documentation required for the design of a resource recovery facility, and further to authorized the Board of Selectmen to execute all necessary and proper contracts and agreements, and further I move that the Town vote to transfer from Free Cash the amount of twenty-five thousand five hundred dollars ($25,500.00) to defray all necessary costs, fees and expenses.

The Moderator reconvened the Annual Town Meeting at 8:30 PM

UNDER ARTICLE 2A Chairman of the Personnel Board, Alan Murphy explained that this article reflects the new step scale on Town Employee's as per article 2. George Ripsom moved that the Gas Inspector under "other positions" be amended to read the salary of $7,000.00 p.a. instead of the figure $6,000.00. The Moderator asked for any discussion, hearing none asked for a voice vote on the motion to amend, motion carried. He then asked for a voice vote on the article as amended, motion carried, unanimously. The article reads as follows:

Chairman of the personnel Board, Alan Murphy, moved that the Town vote to amend the Personnel Wage and Salary By-Law by further amending Section 24, Job Titles and Standard rates for wages and salaries of the Personnel Wage and Salaries of the Personnel Wage and Salary By-Law, to conform to rates of pay negotiated by the Town with certain labor organizations, pursuant to General Law Chapter 150E, and to reflect current salaries and grade levels under the Personnel By-law as follows:

ADMINISTRATIVE AND CLERICAL	7/85 - 6/86 PROPOSED LEVEL	PROPOSED SALARY
1. Executive Secretary	4	
2. Town Accountant	3	
3. Veteran's Agent	2	
4. Town Aide	2	
5. Assistant to Assessors	1D	
6. Assistant Town Clerk	1D	
7. Assistant Treasurer	1D	
8. Clerk, Senior	1C	
9. Clerk, Junior	1A	
10. Clerk, Part-Time	1A	
11. Town Counsel		$ 500 P.A.
12. Board of Reg., Three Members		360 EA.
13. Assistant Town Accountant	1D	

CONSERVATION, PARKS AND CEMETERY

1. Cemetery Superintendent	2		
2. Supt. of Insect & Pest Control	-		1,250 P.A.
3. Landscaper - Park	1A		
4. Laborer - Park		1A	
5. Unskilled Laborer		#2, #4	
6. Skilled Forest Workman - Conservation		1A	
7. Equipment Operator		1C	
8. Park Superintendent		2	

CUSTODIAL

1. Custodian	1B

LIBRARY

1. Library Director	3
2. Library Department Head	1D
3. Library Specialist	1C
4. Library Assistant	1B
5. Library Clerk	1A
6. Maintenance Assistant	1B
7. Page	#2, #4

	7/85-/86 PROPOSED LEVEL	PROPOSED SALARY
HIGHWAY DEPARTMENT		
1. Highway Superintendent	3	
2. Highway Foreman	2	
TOWN FIRE DEPARTMENT		
1. Fire Department	#2, #5	
2. Deputy Fire Chief	#2	
3. Captain	#2	
4. Mechanic (Fire and Police)	#2	
TOWN POLICE DEPARTMENT		
1. Police Chief	5	
2. Deputy Chief	4	
3. Captain	3	
RECREATION		
1. Director/Youth Center Coordinator	2	
2. Clerk, Part-Time	1A	
3. Waterfront Director	1A	
4. Swimming Instructor	1A	
5. Lifeguard	1A	
6. Playground Supervisor	1B	
7. Recreation Specialist	1A	
8. Recreation Leader	1A	
9. Youth Center Supervisor	1C	
10. Youth Center Leaders	1A	

OTHER POSITIONS

1.	Building Inspector	3	
2.	Electric Inspector	2	
3.	Local Inspector	2	
4.	Gas Inspector	#2	$7,000 P.A
5.	Dog Officer	1C	
6.	Assistant Dog Officer	1A	
7.	Van Driver	1B	
8.	Sealer of Weights & Measures	#2	$2,000 P.A.
9.	Animal Inspector	#2	$1,000 P.A.
10.	Clock Winder	#2	$ 200 P.A.
11.	Town Engineer	3	

FOOTNOTES

#1 - Represented by Collective Bargaining
#2 - Not in "Job Rating Plan"
#4 - Federal Minimum Hour Wage
#5 - Salary will be 200% of the highest paid Union Firefighters established by State Law;

Selectman Ready made a motion to take article six out of order. This article pertains to the retired Town Employee's health insurance premiums. The Finance Committee supported the motion. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 6 Selectman Ready moved that the Town vote to pay an additional or subsidiary rate in addition to the payment of fifty percent of premium for for contributory group life, hospital and surgical, medical, dental and other health insurance for employees retired from the service of the Town, and their dependents, in the same proportion as the Town pays said additional or subsidiary rates for active Town employees.

Selectman Ready explained that presently the Town pays 60% of the Town Employee's insurance, 50% of the retired Town Employee's insurance. The Board felt that all the employee's should receive the same paid benefit's of 60% regardless if they are retired or not. The Finance Committee was not in favor of the article. They felt that the retired employee's should not benefit from what the regular employee's receive through union negotiations, etc.. Selectman Ready disagreed with this theory. Many of the retired employee's gave twenty or more years of service to the Town, and he felt that this was a small token of appreciation that they deserved to receive, they made the Town what it is today. The Moderator asked for a voice vote on the motion, motion carried. George Ripsom questioned the voice vote, the following tellers came forward, and a hand count was taken:

Edward Marshall	William Drury	Richard Burtt
Bonnie Farragut	Carl Olsson	Robert Charpentier
Margaret Johnson	Roger Schneider	John Warren
Leslie Koresky	Karen Wharton	John Upshur

Result of the hand count: Yes 200 No 105 motion carried

UNDER ARTICLE 3 Finance Committee Chairman, George Ripsom, discussed the contents of the budget with the Town Meeting Body. The Moderator explained that he would be reading the fiscal year 1986 budget request column in the warrant book. These figures would at times be different from the Finance Committee's recommendation figures, at which time the Finance Committee would make a recommendation to amend. The Moderator then read the Accounting Department through the Assessors' Department, asking for discussion after each one. Under the Assessors' budget Alan Murphy of the Personnel Board stated that his board did make a salary survey of the elected officals salaries, and made their recommendation to the Finance Committee. Mr Murphy asked to hear the Finance Committee's recommendation at this time on the elected officials salaries, which included the Assessors' Tax Collector/Treasurer, and Town Clerk. Mr Ripsom explained that the Finance Committee did not agree with the elected officals salaries recommendation by the Personnel Board, and wanted the three elected officials to receive over the next three years a lock step increase which would be given to the "position" not the offical. This would be the base increase, not including the cost of living and at the end of the three years be on an equal pay scale. He then recommended the Assessor's salaries line item 7 be $113,720.00 for a total budget figure of $176,921. James Doukszewicz,Treaseurer/Tax Collector spoke against the motion to amend. Mr. Doukszewicz felt that rather than wait and discuss the salary question on his budget, he would do so now. He did his own salary survey and found that the Personnel Board's survey did not reflect the most current rate of pay for officals in the surrounding Towns. His was done two weeks ago. He submitted rates to the Finance Committee when he presented his budget. He couldn't understand why the Finance Committee would not accept the Personnel Board's recommendation for the elected officals, but went the other way from what the Personnel Board recommended for the Executive Secretary's salary by giving that position $6,000. more a year. At this time this position is unfilled and the Finance Committee doesn't even know when it will be filled. When it comes to his budget the Treasurer said he would at that time amend his budget to read what he originally requested Pennryn Fitts of the Personnel Board stated that the Personnel Board agreed with the Finance Committee to equalize the pays of the elected officials, and felt that the Treasurer's budget should be voted on prior to any of the other elected officials budget. He then asked for the Finance Committee to withdraw their motion on the Assessor's budget. After that, Mr. Fitts would move to hear the Treasurer's budget. George Ripsom tabled his motion at the present time. Pennryn Fitts moved to take the Treasurer's budget out of order, motion defeated by voice vote. The Moderator questioned the vote and asked for a show of hands,motion carried. James Doukszewicz, Treasurer/Tax Collector then presented his budget which included the total salaries line item 107 as $143,417.00 for a total budget figure of $169,143. He felt that the Finance Committee last year asked the Personnel Board for a recommendation of his salary for this year, and choose to ignore it. Mr Doukszewicz himself gave the Finance Committee his survey and again they failed to go by it. He felt that they should conduct their own or choose to use the Personnel Board's for everyone,not just a chosen few. He asked the Town Meeting Body to vote his budget with his recommendation of figures, because his budget reflectedthe most up to date surveys of salary figure. The Board of Selectmen supported the Treasurer because the Finance Committee did state last year at Town Meeting that they would go by the Personnel Board's recommendation for this year. After more lengthy discussion the Finance Committee moved to amend the budget to read: $141,277.00 under salaries for a total of $167,003.00 The Moderator asked for a voice vote on themotion to amend, which left the chair in doubt, he then asked for a show of hands, motion defeated. He asked for further discussion, hearing none he returned to the Assessor's budget. At this time he explained that the final vote will be taken at the end of the entire budget. The procedure which is being followed is opening the floor up for discussion on the individual recommended figures of the budget. The vote at the end of article three will include all the figures recommended and amended.

The Moderator returned to the Assessor's Department and the Finance Committee's motion for the budget to read $176,921., this figure reflects the salary figure of $113,720.00 Chairman of the Board of Assessors' Janet Lombard, spoke against the change in the salary figure. The Moderator asked for a voice vote on the motion to amend, which left the chair in doubt, he then asked for a show of hands, still in doubt, he

he asked the tellers to come forward and conducted a hand count. The result of the hand count: Yes 102 No 167, motion defeated to amend.

The Moderator then read the Cemetery department through the Constable's budget reading the recommended figure. Under the Council on Aging/TownAide budget Selectmen Ready moved to amend the expenses line item 22. from 24,190. to 29,190. an increase of $5,000. for a total of $78,393. Selectman Ready asked the Town Aide Kathleen Robinson to speak to the Town Meeting Body about the increase. Due to the fact that Mrs.Robinson was not a resident/registered voter in Chelmsford, the Moderator had to ask permission from the Town Meeting Body for Mrs. Robinson to speak. Motion carried, by voice vote. Mrs. Robinson explained that this money was for a fund raising campaign. Which will be appropriated to the Friends of the Senior Center, a private non-profit group which will appeal to the community privately to raise money for the different activities of the Senior center. Respite Care program etc. The Moderator asked for a voice vote on the motion to amend, motion carried.

The Moderator then read from the Debt and Interest through the Fire Department's Budget. Under the Health Department, George Ripsom moved to amend the budget to read a total of $104,143. Which reflects the salaries line item 36 to read $91,092. He then discussed why the salary figure should be $91,092. He felt that the employee's were receiving a 2½% increase plus the 5% cost of living within this new figure. Paul McCarthy, a member of the Board of Health, spoke against the motion to amend. He stated that the Finance Committee was in fact decreasing the Ass't Director's salary not increasing it. He felt that the Ass't Director was in fact doing a tremendous job and should be paid accordingly. Because the clerical staff is not part of the union within the Town Hall, the Board was requesting the same amount that the union positions were receiving. The Board of Selectmen asked the Town Meeting Body to defeat the motion to amend. Norman LaBrecque spoke in favor of the motion to amend. After a lengthy discussion, the Moderator asked for a voice vote, motion carried to amend. Hearing no need for further discussion the Moderator went onto the Highway Department. The Finance Committee asked to table this budget momentarily while figures were gathered for discussion. During this time, Selectman Ready moved to reconsider the Health Department, because of the fact that the Ass't. Director's salary as amended was in fact decreased, he felt that more discussion under the salaries line item 36 should take place. The Finance Committee felt rather then reinstate the whole salary figure, just the Ass't Director's salary should be considered. The Moderator asked for a voice vote on the motion to reconsider, which left the chair in doubt, he then asked for a show of hands, still in doubt, he called the tellers forward and requested a hand count. When the Moderator went to announce the figures of Yes 153 No 91, motion carried to reconsider the Health Department Budget, he announced a ten minute recess while the technician tried to repair the P.A. System. The Meeting recessed at 10:20 PM. The Moderator reconvened the meeting at 10:30 PM, the P.A. system was still not working, the Moderator attempted to continue the meeting, but the Town Meeting Body could not hear him. A motion was made by Norman LaBrecque to adjourn the meeting until Monday May 6th, at 7:30 PM same location. Voice vote was taken by the Moderator, motion carried. The meeting adjourned at 10:35 PM

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 6, 1985

The Adjounred Annual Town Meeting was called to order at 7:35 PM by the Moderator Dennis McHugh, at the McCarthy Junior High School Gym. There were 382 voters present.

The Moderator took a monment to speak about Clement McCarthy, former Town Counsel, who had apssed away on Saturday May 4th. Celm had attended numerous Town Meeting's both as the Town Counsel and as a private citizen. And many times presented his opinions. The Moderator asked the Town Meeting Body to at some time during the meeting take a monment and think about Clem McCarthy.

George Ripsom of the Finance Committee then explained about the remaining budget articles. The Board of Selectmen and the Finance Committee agreed upon the figures which were going to be presented at this meeting, along with the Town Accountant.

The Moderator then reviewed the last motion of the April 29th meeting. The motion was made to reconsider the Board of Health Budget and carried by a voice vote, Yes 153 No 91. He then explained that we were going through article three line by line, the final vote will be taken at the end of the article, but discussions will be heard if necessary at each line item.

UNDER ARTICLE 3 con't Board of Health Budget discussion. Selectman Ready asked the town Meeting Body to support the figure of $97,448 under line item 36 salaries. Peter Dulchinos, member of the Board of Health, spoke about the staff and explained the individual postions, and said that it would not be fair to give a raise to one particular individual and not to all of the personnel. Discussion took place, George Ripsom moved to amend the figure of$91,092. to$93,213, which would reflect a 5% increase for cost of living plus the 2½% merit raise. This is based on the raises approved for those employee's under the Personnel Board. Paul McCarthy, member of the Board of Health, spoke against this motion. After more discussion, the Moderator asked for a voice vote on the motion by GeorgeRipsom toamend the amendment to read$93,213. Moiton carried. Selectman Blomgren spoke against the figure of$93,213. and asked the Town Meeting Body to defeat this motion and to go with the figure of$111,499., and made a motion to move the question, to stop debate. The Moderator attempted a voice vote, which requires an unanimous vote, or a 2/3's hand count. The chair had to conduct a hand count the following tellers came forward:

John Warren	Ruth Delaney	Edward Marshall	Margaret Johnson
Jane Drury	Steve Jones	Walter Mellen	John Hibbard

hand count result: Yes 271 no 23 2/3's required which would be 196, motion carried.

The Moderator asked for a voice vote on the motion to amend with a figure of$93,213. Motion defeated. The Moderator was questioned about the vote, he asked for a show of hands, motion defeated. The Board of Health's total budget is$111,499.

The Moderator read the Highway Department's figures. The Finance Committee moved to amend the figures in all the line items: Line Item 40 Salaries from 550,041 to 498,614, Line Item 41 Expenses from 324,494 to 424,494, and Snow and Ice from 320,000 to 270,000 minus the 100,000 from revenue sharing for a total net budget of 1,093,108. The Selectmen agreed with the amendment, and a voice vote was taken, motion carried, unanimously.

The Moderator read the Historical Budget and then the Hydrant Service where a discussion took place. Thomas Firth moved to amend the budget to read line 45 North from 12,250 to 19,300 and line 46 East from 3,500 to 7,000 for a total budget of $78,350. Leslie Adams spoke about the North's Hydrant Service. The Finance Committee was in favor of the East's figure, but not the North's. Spotwood Bowers moved to amend the amendment to read $7,000. for East and $12,250. for North. The Moderator asked for a voice vote, motion defeated. The Moderator then asked for a voice vote on the figures of $19,300 and $7,000. which left the chair in doubt, he asked for a show of hands, motion carried.

The Moderator read the Insect Pest budget through to the Library Department where discussion took place. Myra Silver of the Finance Committee moved to amend Line itme 58. Salaries from 321.422 to 330,702. This is as a result of the Personnel Board's salary chart change voted under article 2A. This change would reflect a total budget of 467,260. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator read his budget through the Police Department's budget, where discussion took place: Cheryl Boss, of the Finance Committee, moved that the Salaries figures line item 70 be changed from 1,947,067 to 1,944,183. which will give a net budget of 1,847,852. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator read from the Public Buildings budget through the School Department budget, where a discussion took place. George Ripsom of the Finance Committee moved to amend the Net Cost of this department's budget from 17,886,684. to 17,806,363. this is due to the reimbursement funds of the Capital Improvement. The Moderator asked for a voice vote, motion carried, unanimously.

Selectman Readymoved to return to the Insurance Department budget, as the passage of Article 6 increased the budget by 11,000., which must be added to the line item of Chapter 32B figure for a total of 973,918,which will give a total budget figure of $1,374,578. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator read form the Sewer Commission through the Veteran's Benefits Department where a discussion took place. Selectman Ready moved that the Salaries line item 116 be amended from 41,465 to 42,154. This is to reflect an increase for the Ass't Veteran's Agent., which will give a total budget figure of 99,505. Norman LaBrecque questioned this position, he said it is not listed under the Personnel Board's listing under Article 2A. George Ripsom explained that his was as a result of the Town Hall Union contract negotiations. And that it is a union position not Personnel Board's. Sandra Kilburn, Town Hall union negotiator, explained that this in fact was not a union position. The person was a union member prior to the changing of the title. Alan Murphy of the Personnel Board explained that the Personnel Board has not yet seen a job description of the position, monies could be voted, however, the Personnel Board must approve the position before any monies can be released. The Moderator asked for a voice vote on the motion to amend, motion carried.

The Moderator read the Waste Collection's budget. Under the Unclassified Department, a number of motions were made to amend. Selectman Ready moved to amend Line item 121 Ambulance Service from $0.00 to read $1.00, voice vote taken, motion carried,unanimously. Norman LaBrecque moved to amend line item 122 Cable TV Committee from 3,100 to 2,500, after much discussion the Moderator asked for a voice vote. Motion defeated. George Ripsom moved that the line item 124 be amended from $950,000 to 937,070. Voice vote taken, motion carried to amend the County Retirement Assessment, unanimously. Under line item 125, Cultural Council, Marion Gould moved that the figure be amended from $1.00 to $100.00. A voice vote was taken motion carried. Under line item 136 Retirement Reserve Fund the Finance Committee moved to amend the figure from $50,000. to 0.00. This is a cushion for future Town Employees who may retire. However, if the amount is not there the County will assess an amount the following year. A voice vote was taken which left the Chair in doubt, the Moderator asked for a show of hand, still in doubt the tellers came forward and a hand count was taken Yes 115 No 144, motion defeated. The Moderator read the rest of the line items and George Ripsom moved to reconsider line item 136, Retirement Reserve Fund. The Town can not afford at this time to have this money set aside. After much discussion, a voice vote was taken, motion to amend the line item from $50,000. to $0.00 carried. The Moderator then read the total unclassified budget figure of $1,080,691. The Moderator then read the motion, asked for a voice vote motion carried, under article three and reads as follows:

James Doukszewicz, Tax Collector/Treasurer, moved that the Town raise and appropriate the sum of 30,303,784.00 to defray Town Charges for the fiscal period from July 1, 1985 to June 30, 1986.

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
CCOUNTING DEPARTMENT:	
1. SALARIES	$84,717
2. EXPENSES	1,900
3. OUTLAY	600
TOTAL ACCOUNTING DEPARTMENT	87,217
NIMAL INSPECTOR'S DEPARTMENT:	
4. INSPECTORS SALARY	1,000
5. EXPENSE	400
TOTAL ANIMAL INSPECTOR'S DEPARTMENT	1,400
OARD OF APPEALS:	
6. EXPENSES	5,200
SSESSORS DEPARTMENT:	
7. SALARIES	121,000
8. EXPENSES	42,800
9. OUTLAY	1
10. LEGAL SERVICES	5,000
11. REVALUATION UPDATE	15,400
TOTAL ASSESSORS DEPARTMENT	184,201
EMETERY DEPARTMENT:	
12. SALARIES	112,429
13. EXPENSES	21,763
14. OUT OF STATE	500
15. OUTLAY	550
TOTAL CEMETERY DEPARTMENT	135,242
TRANSFER FROM P/C INTEREST	15,000
NET COST CEMETERY DEPARTMENT	120,242
IVILIAN DEFENSE:	
16. EXPENSES	2,040
17. OUTLAY	1,026
TOTAL CIVILIAN DEFENSE	3,066
ONSERVATION COMMISSION:	
18. SALARIES	5,050
19. EXPENSES	6,210
TOTAL CONSERVATION COMMISSION	11,260
ONSTABLE:	
20. SALARY	150
OUNCIL ON AGING/TOWN AIDE:	
21. SALARIES	49,203
22. EXPENSES	29,190
TOTAL COUNCIL ON AGING/TOWN AIDE	78,393

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
DEBT AND INTEREST:	
PRINCIPAL PAYMENTS:	
WESTLAND AND HARRINGTON ELEM SCHOOLS	155,000
BYAM ELEM SCHOOL	100,000
SCHOOL BUILDING CAPITAL IMPROV #5	715,000
SCHOOL COMPUTER PURCHASE #2	133,965
23. TOTAL PRINCIPAL	1,103,965
INTEREST PAYMENTS:	
ANTICIPATION OF REVENUE AND OTHER TEMP LOANS	200,000
WESTLAND AND HARRINGTON ELEM SCHOOLS	16,340
BYAM ELEM SCHOOL	27,000
SCHOOL BUILDING CAPITAL IMPROV #5	49,560
SCHOOL COMPUTER PURCHASE	7,436
24. TOTAL INTEREST	300,336
TOTAL DEBT AND INTEREST	1,404,301
DOG OFFICER:	
25. SALARIES	24,176
26. EXPENSES	2,000
27. POUND RENTAL	6,000
28. CARE OF LIVE ANIMALS	1,200
TOTAL DOG OFFICER DEPARTMENT	33,376
EDWARD'S MEMORIAL BEACH:	
29. EXPENSES	1,000
ELECTIONS:	
30. WAGES AND EXPENSES	14,275
FINANCE COMMITTEE:	
31. EXPENSES	1,500
FIRE DEPARTMENT:	
32. SALARIES	1,966,057
33. EXPENSES	102,518
34. OUT OF STATE	1
35. OUTLAY	7,685
TOTAL FIRE DEPARTMENT	2,076,261
APPROPRIATION FROM REVENUE SHARING FOR SALARIES	300,000
NET COST FIRE DEPARTMENT	1,776,261
HEALTH DEPARTMENT:	
36. SALARIES	97,448
37. EXPENSES	14,050
38. OUT OF STATE	0
39. OUTLAY	1
TOTAL HEALTH DEPARTMENT	111,499

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
HIGHWAY DEPARTMENT:	
40. SALARIES	498,614
41. EXPENSES	424,494
42. SNOW AND ICE	270,000
TOTAL HIGHWAY DEPARTMENT	1,193,108
APPROPRIATION FROM REVENUE SHARING FOR STREET RESURFACING	100,000
NET COST HIGHWAY DEPARTMENT	1,093,108
HISTORICAL COMMISSION:	
43. EXPENSES	1,000
HYDRANT SERVICE:	
44. CENTER	52,050
45. NORTH	19,300
46. EAST	7,000
47. SOUTH	0
TOTAL HYDRANT SERVICE	78,350
INSECT PEST CONTROL:	
48. SUPERINTENDENT'S SALARY	1,250
49. EXPENSES	10,800
TOTAL INSECT PEST CONTROL	12,050
INSPECTION DEPARTMENT:	
50. SALARIES	126,692
51. EXPENSES	15,502
52. OUT OF STATE	500
53. OUTLAY	1
TOTAL INSPECTION DEPARTMENT	142,695
INSURANCE DEPARTMENT:	
PROPERTY LIABILITY & ALL TYPES	400,660
CHAPTER 32B	973,918
54. TOTAL INSURANCE DEPARTMENT	1,374,578
LAW DEPARTMENT:	
55. TOWN COUNSEL	500
56. LEGAL SERVICES	40,000
57. MISC. EXPENSE - ASSOC DUES	750
TOTAL LAW DEPARTMENT	41,250
LIBRARY DEPARTMENT:	
58. SALARIES	330,702
59. EXPENSES	63,905
60. BOOKS & PERIODICALS	84,040
61. OUTLAY	4,200
TOTAL LIBRARY DEPARTMENT	482,847
LESS STATE AID	15,587
NET COST LIBRARY DEPARTMENT	467,260

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
MODERATOR:	
62. SALARY	300
HASHOBA VALLEY TECHNICAL HIGH SCHOOL:	
63. ASSESSMENT	536,337
PARK DEPARTMENT:	
64. SALARIES	33,553
65. EXPENSES	6,446
66. OUTLAY	1
TOTAL PARK DEPARTMENT	40,000
PERSONNEL BOARD:	
67. EXPENSES	650
PLANNING BOARD:	
68. EXPENSES	16,250
69. OUTLAY	1
TOTAL PLANNING BOARD	16,251
POLICE DEPARTMENT:	
70. SALARIES	1,944,183
71. EXPENSES	199,148
72. CHIEFS OUT OF STATE	1,050
73. OUTLAY	1
74. AUXILIARY - EXPENSE	3,070
75. AUXILIARY - OUTLAY	400
TOTAL POLICE DEPARTMENT	2,147,852
APPROPRIATION FROM REVENUE SHARING FOR SALARIES	300,000
NET COST POLICE DEPARTMENT	1,847,852
PUBLIC BUILDINGS DEPARTMENT:	
76. SALARIES	40,851
77. EXPENSES	58,930
78. SUPERVISION FEE	6,000
79. OUTLAY	2,000
TOTAL PUBLIC BUILDINGS DEPARTMENT	107,781
RECREATION COMMISSION:	
80. SALARIES	25,107
81. EXPENSES	16,780
82. OUTLAY	0
TOTAL RECREATION COMMISSION	41,887
REGISTRARS DEPARTMENT:	
83. SALARIES	20,685
84. EXPENSE	7,991
85. OUTLAY	1
TOTAL REGISTRARS DEPARTMENT	28,677

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
SCHOOL DEPARTMENT:	
86. TOTAL SCHOOL DEPARTMENT	17,896,684
MINUS TUITIONS	5,000
MINUS COMMUNITY EDUCATION	5,000
	17,886,684
MINUS REIMBURSEMENT FUNDS RECEIVED FROM SCHOOL BUILDING CAPITAL IMPROVEMENTS RESERVED FOR APPROPRIATION	80,321
NET COST SCHOOL DEPARTMENT	17,806,363
SEALER OF WEIGHTS & MEASURES:	
87. SALARY	2,000
88. EXPENSES	300
TOTAL SEALER DEPARTMENT	2,300
SELECTMEN'S DEPARTMENT:	
89. SALARIES	86,404
90. EXPENSES	14,800
91. OUTLAY	1,500
92. OUT OF STATE	500
TOTAL SELECTMEN'S DEPARTMENT	103,204
SEWER COMMISSION:	
93. SALARIES	27,500
94. EXPENSES	15,000
95. PROFESSIONAL FEES	10,000
96. OUTLAY	1
97. OUT OF STATE	3,500
TOTAL SEWER COMMISSION	56,001
STREET LIGHTING:	
98. EXPENSE	160,000
TOWN CELEBRATION COMMITTEE:	
99. EXPENSE	500
TOWN CLERK DEPARTMENT:	
100. SALARIES	86,555
101. EXPENSES	5,635
102. OUTLAY	600
TOTAL TOWN CLERK DEPARTMENT	92,790
TOWN ENGINEERING DEPARTMENT:	
103. SALARIES	51,702
104. EXPENSES	5,590
105. OUTLAY	1
106. OUT OF STATE	1
TOTAL ENGINEERING DEPARTMENT	57,294

DEPARTMENT LINE ITEMS	APPROVED APPROPRIATIONS
TREASURER/COLLECTOR DEPARTMENT:	
107. SALARIES	143,417
108. EXPENSES	25,725
109. OUTLAY	1
TOTAL TREASURER/COLLECTOR DEPARTMENT	169,143
TREE WARDEN DEPARTMENT:	
110. SALARRIES	1,000
111. EXPENSES	13,875
112. OUTLAY	1
TOTAL TREE WARDEN DEPARTMENT	14,876
VARNEY PLAYGROUND:	
113. LABOR - PART TIME	3,000
114. EXPENSES	1,999
115. OUTLAY	1
TOTAL VARNEY PLAYGROUND	5,000
VETERAN'S BENEFITS DEPARTMENT:	
116. SALARIES	42,154
117. EXPENSES	4,150
118. OUTLAY	200
119. CASH AND MATERIAL GRANTS	53,000
TOTAL VETERAN'S BENEFITS DEPARTMENT	99,504
WASTE COLLECTION:	
120. EXPENSE	992,652
UNCLASSIFIED DEPARTMENT:	
121. AMBULANCE SERVICE	1
122. CABLE TV COMMISSION	3,100
123. CLERK OF COMMITTEES	1
124. COUNTY RETIREMENT ASSESSMENT	937,070
125. CULTURAL COUNCIL	100
126. ELDER SERVICES OF MERRIMACK VALLEY	1,800
127. HISTORIC DISTRICT COMMISSION	1,000
128. LOWELL MENTAL HEALTH	8,695
129. MEDICAL BILLS RETIRED POLICE & FIRE CHAPTER 41 SECTION 100B	5,000
130. MEMORIAL DAY EXPENSE	1,000
131. MOBIL HOME RENT CONTROL BOARD	500
132. MOSQUITO CONTROL	10,000
133. NMAC ASSESSMENT	8,422
134. POLICE MUTUAL AID - LEAA	2,000
135. PRELIMINARY PROJECT STUDIES	1
136. RETIREMENT RESERVE FUND	0
137. TOWN CLOCK EXPENSE	600
138. TOWN & FIN COM REPORTS	5,500
139. UNEMPLOYMENT BENEFITS DUE STATE	90,000
140. VETERANS PENSION CLAIMS	5,000
TOTAL UNCLASSIFIED DEPARTMENT	1,080,790

TOTAL ARTICLE 3. (GROSS)		31,114,692
LESS: TRANSFERS FROM AVAILABLE FUNDS		
FEDERAL REVENUE SHARING	700,000	
STATE AID TO LIBRARIES	15,587	
CEMETERY P/C INTEREST	15,000	
REIMBURSEMENT FUNDS RESERVED FOR APPROPRIATION-SCHOOL CAPITAL BLDG IMPROVEMENTS	80,321	
TOTAL TRANSFERS		810,908
TOTAL RAISE AND APPROPRIATE		30,303,784

UNDER ARTICLE 4 James Doukszewicz, Tax Collector/Treasurer, moved that the Town vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1985; in accordance with the provisions of General Laws, Chapter 44 Section 4 and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

The Finance Committee recommended the article, motion carried unanimously.

UNDER ARTICLE 5 James Doukszewicz, Tax Collector/Treasurer, moved that the Town vote to request the Department of Revenue, Division of Accounts of the Commonwealth of Massachusetts, to make an audit of all accounts in all departments in the Town of Chelmsford.

The Finance Committee recommended the article, motion carried, unanimously.

Article 6 was voted at April 29th meeting

UNDER ARTICLE 7 George Ripsom of the Finance Committee, moved that the Town vote to raise and appropriate sum of three hundred thousand dollars ($300,000.00) to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

The Finance Committee supported the article, motion carried, unanimously.

UNDER ARTICLE 8 Anthony Cali moved that the Town vote to petition the General Court in conformity with section 8 article 89 of the Constitution of the Commonwealth of Massachusetts to rescind the special legislation providing for a Mobile Home Park Rent Control By-law.

The Finance Committee was against the article and ask the Town Meeting Body to defeat it. Bernard Ready, Chairman of the Rent Control Board, urged the Body to vote against the article, and moved the question to stop debate. The Moderator asked for a voice vote, motion carried. The Moderator asked for a voice vote on the article, motion defeated.

UNDER ARTICLE 9 Selectman Dennis Ready, moved that the Town vote to transfer the site of the Dog Pound established by Article 1 of the May 16, 1983 Special Town Meeting, from the Police Station located on North Road, to property owned by the Town of Chelmsford located off North Road, at the McCarthy Junior High School.

The Board of Selectmen and the Finance Committee both supported the article. Selectmen Emerson, member of the Dog Pound Committee spoke in favor. Linda Allen Chairman of the Committee asked the Town Meeting Body for their support. Donald Fraser of the 255 North Road Condominiums, which are located across the street from the proposed location, spoke against the location. After a lengthy discussion Donald Gray moved the question to stop debate, motion carried, unanimously. The Moderator asked for a voice vote on the article, motion carried.

UNDER ARTICLE 10 Selectman Dennis Ready moved to amend the article. Line Item 6, Traffic & Safety Comm. Engnrg. Fire Sta. Traffic lights from 15,000 to 35,000. The Finance Committee was in favor of the amendment. James Doukszewicz a member of the Capital Planning Committee spoke about the article. A lengthy discussion took place. The Moderator asked for a voice vote on the motion to amend. Motion carried.

Carl Olsson, Chairman of the SchoolCommittee moved that Line item 11 School Building Capital Improvements reflect a total bottom line figure, not individual figures for the improvements of sublines A through G.

The Finance Committeewas not in favor of the motion. The Committee did not want to give just a bottom line for the School Committee to work with. They felt that the control should be there. Carl Olsson explained that when the School Committee goes out for bids on these projects and if the figures come in higher than the money listed on a certain line item and lower on the next, the extra money can not be put toward the higher required figure to complete the project. As a result the committee is locked into these figures, and if the bids reflect higher amounts than allocated, then priorities will have to be set up on what projects will be done. A lengthy discussion followed. Selectman Ready asked for Town Counsel's opinion on the motion. James Harrington, Town Counsel explained that the total figure for the School Department would be able to be expended only on the capital expenditures as listed under line item 11 A,B,C,D,E,F,G., but the line items which reads beside each particular capital expenditure could be changed by the School department. After more lengthy discussion, in which numerous amount of voters spoke against and in favor of the motion, the Moderator asked for a voice vote on the motion to amend. Motion defeated.

George Ripsom moved that the School building Capital Improvement Line A Roof ext. over art room & terrace be amended from 90,000 to 0. and that line G. High Schl. repair /replace intercom system telephone system be amended from 100,000. to 0. After lengthy discussion took place the Finance Committee moved to withdraw their motion to amend. The Moderator asked for a voice vote on the motion to withdraw, motion carried, unanimously. Frederick Reid moved the question to stop debate. The Moderator asked if there was a need for further debate, hearing none he asked for a voice vote on the main motion as amended. Motion carried, unanimously. The article reads as follows:

Selectman Dennis Ready moved that the Town vote to raise and appropriate the sum of four hundred sixty-four thousand eight hundred thirty-two dollars (464,832.00) to transfer and appropriate from the Stabilization Fund the sum of two hundred eighty-five thousand six hundred and nine dollars (285,609.00) and to borrow the sumof one million eighty thousand three hundred dollars (1,080,300.00) for the following capital improvements throughout the Town and Capital Improvements for the School Department:

	ITEM	COST	FUNDING SOURC
1.	LANDFILL CLOSURE	$ 150,000.	Raise & Appropriate
2.	FIRE-LADDER TRUCK	$ 210,000.	Stabilization Fund Tfr.
3.	POLICE-CRUISERS(5)	$ 60,000.	Stabilization Fund Tfr.
4.	FIRE -SERVICE TRUCK, 4 w.d.P-up	$ 15,609.	Stabilization Fund Tfr.
5.	POLICE-ROOF total cost equals $30,000. (total cost $15,000.in present budges)	$ 15,000.	Raise & Appropriate
6.	TRAFFIC & SAFETY-COMM.-ENGNRG.FIRE STATION TRAFFIC LIGHTS	$ 35,000.	Raise & Appropriate
7.	HIGHWAY-BITUMINOUS	$ 100,000.	Raise & Appropriate
8.	POLICE-MOBILE RADIOS	$ 6,000.	Raise & Appropriate
9.	LIBRARY-ARCHITECT FEES(HDCP.REGS.)	$ 5,000.	Raise & Appropriate
10.	HIGHWAY-DIESEL DUMP TRUCK (2.) - LOADER (1)	$ 153,832	Raise & Appropriate

11.	SCHOOL BLDG.CAPITAL IMPROVEMENTS:		
	A. High Schl.Roof-Completion	$ 389,500.	
	Roof ext.over art room & terrace	$ 90,000.	
	B. McCarthy-Complete roof rehab.&	$ 74,800.	
	Re-coat roofs	$ 13,000.	
	C. So.Row -Roof rehab.	$ 232,000.	
	D. Westlands, Harrington,Parker, Byam-asbestos removal and reinsulation	$ 139,000.	
	E. Harrington-repair cracked walls & tile bases	$ 7,000.	
	F. McCarth-Auditorium wiring & control board repairs	$ 35,000.	
	G. High Schl.-repair/ replace intercom. system-telephone system	$ 100,000.	Borrow-2yrs notes
	schl. (sub-tot)	$1,080,300.	
	CAPITAL EXPENSE TOTAL OVERALL	1,830,741	

Selectman Dennis Ready, moved that the Town Meeting adjourn until Monday May 13th, 7:30 PM at the McCarthy Jr. High School Gym. Motion carried. The meeting adjourned at 11:30 PM.

Dennis McHugh
Moderator

Mary E. ST.Hilaire
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 13th, 1985

The Adjourned Annual Town Meeting was called to ofer at 7:40 PM by the Moderator Dennis McHugh, at the McCarthyJunior High School Gym. There were 195 voters present.

UNDER ARTICLE 11 Selectman Dennis Ready moved that the Town vote to raise and appropriate the sum of one dollar ($1.00) for the purpose of implementing a Traffic Control Division within the Police Department.

Selectman Ready spoke about the article. The Finance Committee does not recommend the article. Voice vote taken, motion defeated.

UNDER ARTICLE 12 Selectman Dennis Ready moved that the Town vote to raise and appropriate the sum of five thousand dollars ($5,000.00) to publish an additional Town History covering the years 1915 through 1975.

The Finance Committee does not recommend the article. Voice vote taken, motion defeated.

UNDER ARTICLE 13 Selectman Dennis Ready moved that the Town will vote to amend the General By-Laws Article VII miscellaneous by deleting Section 3 Auctions - Sales in its entirety and substitute the following:

Section 3 Auctions - Sales

All auctions and sales in public buildings in the Town of Chelmsford are hereby prohibited except for the purpose of town business or such other business as may be deemed proper or necessary by the Committee, Board, or Officer having charge of said public building;

The Finance Committee recommends the article. Motion carried, unanimously.

UNDER ARTICLE 14 Selectman Dennis Ready moved that the Town vote to amend the General By-Laws Article VI Police Regulations Section 16 by deleting Section 16. Solicitors in its entirety and substituting the following:

Section 16. Solicitors

No person, coroporation or other organization shall solicit orders or subscriptions for goods or services, or sell goods or services door to door, in the Town without first having registered with the Police Department. There shall be no door to door solicitation or selling be fore 9:00 o'clock in the forenoon or after 6:00 in the evening.

The Finance Committee recommends the article. Motion carried, unanimously.

UNDER ARTICLE 15 Selectman Dennis Ready moved to withdraw this article.

The Finance Committee recommends the withdrawl, Motion carried, unanimously.

UNDER ARTICLE 16,17,18,&19 The same action and vote took place on each of these articles. The Selectmen ask for permission to sell to interested parties certain pieces of land. Once the interested party explains why he/she want to purchase the land in question, then the Finance Committee recommends on the motion. On these particular articles the interested parties were not present, therefore the Board of Selectmen and the Finance Committee did not recommend any of the articles. The Moderator asked for a voice vote on each, motion defeated.

UNDER ARTICLE 16 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any held by the Town, in a certain parcel of land on Wightman Street, shown as Lot 14, Blk 10 Assessors' Plat.19 and being the premises taken by the Town of Chelmsford by an instrument of taking, dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 152, containing approximately 5,000 square feet, more or less, of land. Motion defeated.

UNDER ARTICLE 17 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town ina certain parcel of land located at 283 Riverneck Road and being the premises taken by the Town of Chelmsford by an instrument of taking, dated July 29, 1977 and recorded in the Middlesex North District Registry of Deeds in Book 2260, Page 274, containing approximately 24,675 s.f. of land more or less. Motion defeated.

UNDER ARTICLE 18 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located on Billerica Road, shown as lots 39A and 42B, Blk 36 on Assessors'Plat 129 and more particularly described in a certificate of title recorded in the land court, Middlese North District Registry of Deeds, certificate of Title number 6668, Book 36, page 141. Motion defeated.

UNDER ARTICLE 19 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right and title, and interest, if any, held by the Town in a certain parcel of land located at 9 Alcorn Road, and being the premises taken by the Town of Chelmsford by an instrument of taking dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 135, containing approximately 1.3 acres of land more or less. Motion defeated

UNDER ARTICLE 20 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey all right, title, and interest, if any, in a certain parcel of land located at 7 Fourth Avenue, and being the premises taken by the Town of Chelmsford by an instrument of taking, dated December 27, 1973 and recorded in Middlesex North District Registry of Deeds, in Book 2096, Page 686, and shown on Assessors Map 66 as lot 68, containing approximately 3,240 square feet of land more or less.

Louise Daigle, the petitioner came forward and explained why she wanted the land in question. The Board of Selectmen and the Finance Committee supported the article. Motion carried, unanimously.

UNDER ARTICLE 21 Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property located on Fletcher Street, in the Town of Chelmsford, and further described as Parcel A and Parcel B as follows:

A certain parcel of land located on the southerly side of Fletcher Street on the westerly side of Chelmsford Street, Town of Chelmsford, Middlesex County, Massachusetts, and shown as Parcel A on a certain plan entitled "Highway Taking Plan of Land in Chelmsford, Massachusetts", Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc. bounded and described as follows:

Beginning at the westerly corner of the lot at the intersection of lot line and Fletcher Street running along the lot line south 14 -54'-00" west seven (7') feet;

Thence north 75 -06'-00" east approximately one hundred eight (108') feet;

Thence southerly along a curve of thirteen (13') foot radius approximately twenty-eight (28') feet to the intersection of Chelmsford Street;

Thence north 46 -44'-00" east along Chelmsford Street approximately nine (9') feet;

Thence north 28 -07'-11" west twenty-four and 27/100 (24.27') feet to the intersection with Fletcher Street;

Thence south 75 -06'-00" west along Fletcher Street approximately one hundred eight (108') feet to the point of beginning, containing approximately 800 square feet.

PARCEL B

A certain parcel of land located on the southerly side of Fletcher Street on the westerly side of Chelmsford Street, Town of Chelmsford, Middlesex County, Massachusetts, and shown as Parcel B on a certain plan entitled "Highway Taking Plan of Land in Chelmsford, Massachusetts", Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc. bounded and described as follows:

Beginning at the northerly corner of the lot at the intersection of the lot line and Fletcher Street and running along the lot line south 14 -54'-00" west seven (7') feet;

Thence south 75 -06-00" west approximately fifty-seven (57') feet;

Thence north 43 -51'-00" west approximately thirteen and 5/10 (13.5') feet to the intersection with Fletcher Street;

Thence north 75 -06'-00" east along Fletcher Street approximately fifty-seven (57') feet to the point of beginning, containing approximately 440 square feet;

Said parcel beingfurther shown as Parcel A and Parcel B on a certain plan filed with the Town Engineer entitled, "Highway Taking Plan of Land in Chelmsford, Massachusetts", prepared for the Town of Chelmsford, Scale 1" = 10', March 19, 1985 by SEA Consultants, Inc., Consulting Engineers, 54 Canal Street, Boston, Massachusetts for the purpose of constructing improvements and widening Fletcher Street as part of the Chelmsford Street/Fletcher Street intersection improvements; and I move that the Town vote to raise and appropriate the sum of ten thousand dollars ($10,000.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking.

UNDER ARTICLE 22 The Moderator explained that the Town clerk had an unsigned motion for this article, and unless the motion was signed, then no action could be taken. The Moderator asked if the petitioner would come forward and sign the motion. No one came forward, no action was taken.

UNDER ARTICLE 23 Attorney James Geary moved to withdaw the article, motion carried.

UNDER ARTICLE 24 Selectman Dennis Ready moved that the Town vote to accept the following mentioned streets as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and I move that the Town vote to raise and appropriate the sum of ten thousand five hundred dollars ($10,500.00) for the purpose of reconstructing the following mentioned streets:

(1)	Sturbridge Drive	0.00
(2)	Matthew Lane	0.00
(3)	Penni Lane	10,500.00

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met.

The Finance Committee was against Penni Lane being approved, but was in favor of the other two streets. The Committee moved to amend the article to accept Matthew Lane and Sturbridge Drive and to delete Penni Lane. After much discussion, Dennis Hunt of Penni Lane, spoke against the motion, the Moderator asked for a voice vote, motion to amend defeated. He then asked for a voice vote on the article, motion carried.

UNDER ARTICLE 25 Selectman Dennis Ready moved that the Town vote to accept Monmoth Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and I move that the Town vote to raise and appropriate the sum of seventy five thousand dollars (75,000.00) for the purpose of reconstructing Monmoth Street, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met.

The Selectmen were in favor of the article, and askedthe Town Meeting body for approval. The Finance Committee is against the article. David Campbell spoke in favor, explaining that it is a dirt road and has been for many many years and felt that it was about time that the street was hot topped and accepted. More residents of the street spoke in favor of the article. David Garrigan moved to amend the article by changing the requested amount to $40,000.00., more or less. Town Counsel's opinion was asked by the Moderator due to the wording of the motion. The motion was ruled out of order, because of the "more or less" wording.

More discussion took place, David Campbell moved the question to stop debate. Asking if there was any need for further debate, the moderator asked for a voice vote on the main motion, which left the chair in doubt, he then asked for a show of hands, motion carried.

UNDER ARTICLE 26 Selectman Dennis Ready moved that the Town vote to accept Locust Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the Office of the Town Clerk, and I move that the Town vote to raise and appropriate, the sum of Seventy-Five Thousand Dollars (75,000.00) for the purpose of reconstruction Locust Street, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met.

Town Counsel James Harrington moved that the motion be changed to reflect the name of Locust Road instead of Locust Street. Motion carried, by voice vote. Much discussion took place, voters spoke in favor and against the motion. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 27 Selectman Dennis Ready moved that the Town vote to accept Wiggins Street as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk, and I move that the Town vote to raise and appropriate, the sum of ten thousand dollars (10,000.00) for the purpose of requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met.

Selectman Blomgren moved to amend the article to read 50,000.00 and asked for support on the motion. The Finance Committee was against the motion and the article. At the present time the Town is involved with a court case on the construction of the road, and the Finance Committee feels that the article should be defeated. After discussion the Moderator asked for a voice vote on the motion to amend, motion defeated. He then asked for a voice vote on the main motion, motion defeated.

UNDER ARTICLE 28 Town Counsel James Harrington, moved to amend section F as recommended and voted unanimously, by the Planning Board, with the following wording: Adequate access to each structure for fire emergency and service equipment is provided. This shall mean that access shall be provided to all sides of the structure for emergency vehicles and fire lanes, as recommended by the Fire Department.
The Moderator asked for a voice vote, motion carried, unanimously.

Chairman of the Planning Board, John McCarthy read the Board's recommendation: The Planning Board held a public hearing on April 3, 1985, and voted unanimously to approve this article. Which includes the amendment to line F.
The Moderator asked for a voice vote, motion carried unanimously.

The article reads as follows:

Chairman of the Planning Board John McCarthy, moved that the Town vote to amend the Zoning By-Laws Article I Administration and Procedure Section 1400 Planning Board by deleting Subsection 1425 in its entirety and substituting the following:

1425 - A special permit may be granted by the Planning Board upon its determination that the following minimum standards have been met or exceeds:

a. The requirements of Section 1520 - Special Permit Criteria.

b. The applicable requirements of Section 4500 - Major Business Complexes.

c. Ingress/egress is in accordance with Section 3144 - (Parking) and internal circulation is designed to control access to points of ingress/egress using smooth flow of traffic.

d. Access from minor streets serving residential neighborhoods shall not be used unless the applicant can clearly demonstrate a need for use of such road(s).

e. Parking areas shall be screened to minimize floodlight and headlight glare and to confine vehicles to the parking area and to restrict them from using adjacent properties. As a minimum, parking shall be designed in accordance with Section 3100 - Off-Street Parking and Loading and Section 3423 - (Screening).

f. Adequate access to each structure for fire emergency is provided. This shall mean that access shall be provided to all sides of the structure for emergency vehicles and fire lanes as recommended by the Fire Department.

g. Statements on the adequacy and availability of water and sanitary facilities for the proposed development, from the appropriate agency shall be submitted by the applicant.

h. Storm drainage proposals conform to the requirements of the Chelmsford Subdivision Regulations.

i. Major topographic changes or removal of existing trees or other important natural elements of the site will be minimized. All grading shall conform to Section 3410 - Grading.

i. Effective use is made of the topography, landscaping, building placement and building design to maintain to the degree feasible, the character of the neighborhood. A reasonable degree of compatibility between the proposed development and adjacent areas must be maintained. This will be done through the use of natural buffer-strips and screening; and through the location of like uses or like intensity along the boundary where other uses, particularly residential uses, exist or are permitted.

k. Along with the site plan, the applicant shall submit a certification by a registered professional engineer that the proposal conforms to Section 3200 - Environmental Protection Standards. In addition, the applicant shall submit an affidavit acknowledging his understanding of this standard and his or his successors continuing agreement to comply with it.

l. The amount of parking is in conformance with Section 3100 - Off-Street Parking and Loading and where fifty (50) or more cars are to be located in a parking lot, raised planting strips, trees and landscape features shall be used to control traffic patterns across the paved areas.

m. Pedestrian circulation is provided for within the development and there is a rational linkage of the system within the development to existing or potential circulation outside.

n. That all other requirements of this By-law applicable to the site plan have been satisfied.

To the extent permitted by law, the effective date of this amendment shall be the date of approval of the amendment to the by-laws by the Office of the Attorney General of the Commonwealth of Massachusetts as required by Chapter 40 Section 32.

Halvar Peterson moved to take article 40 out of order. Motion carried, by voice vote.

UNDER ARTICLE 40 Housing Authority Chairman, Ruth Delaney moved to amend the article. The Housing Authority wanted the Selectmen to convey to them the property for $1.00, with two conditions. First that the property is used for the exclusive and specific purpose of elderly housing, Second, that the CHA shall not convey, lease or otherwise alienate any interest in the property. If either of these conditions occurs, then the title to the property shall automatically revert to the Town of Chelmsford.

The Finance committee was in favor of the Chelmsford Housing Authority's motion, however, they wanted to amend the amendment by locking the Authority into development of the property within five years, if not developed, then it shall revert to Town ownership and its use shall be redetermined at the next annual Town Meeting.

A discussion followed. A number of voters spoke against the Finance Committee's motion but were in favor of the Housing Authority's motion. The voter's felt that the Housing Authority's motion was specific enough. Why force the Authority to have to receive funding by a certain time. It was better to allow the Authority the time needed, rather than allow a private developer to take over the land, and put whatever they wanted on it.

Selectman Emerson asked if the Housing Authority could guarantee strictly elderly housing on the site, and how long of a wait for the funding? Mrs. Delaney guaranteed that only elderly housing would go on the site, however, funding was a problem. Due to the Board of Selectmen's lack of co-operation in the past, when this site had become available. She read letters from the Selectmen to the CHA which did indicate that the North School site would be made available to the CHA when the time came. Also read to the Town Meeting Body was a letter dated this year from the Executive Office of Community Development indicating that Chelmsford stood a good chance of not receiving any future funding for any type of state grants due to lack of family housing being made available in Town. The CHA had asked the Selectmen for the Grange Hall in S. Chelmsford, for a family housing site, (monies were available but a site was needed) and the Board of Selectmen after a public hearing with the residents decided to award the site to a contractor. More discussion followed. Selectman Ready explained why the Selectmen did not award the Grange Hall to the CHA. Mrs. Delaney moved the question to stop debate, the Moderator asked if there was any need for furhter discussion, hearing none, he asked for a voice vote on the Finance Committee's motion to amend. Motion defeated. Joseph Shanahan representing Robert McBride a non resident, who is interested in obtaining the North School site for private elderly housing development, asked to address the Town Meeting Body in Mr. McBride's behalf. The Moderator asked for a voice vote, motion defeated. Joseph Shanahan then spoke for himself on the Housing Authority's motion to amend. More discussion followed. William Keohane, member of the Housing Authority, spoke on the article. Halvar Peterson moved the question to stop debate, the Moderator asked for any need for futher debate, hearing none, asked for a voice vote on the Housing Authority's motion to amend, motion carried. Selectman Ready moved that the motion be amended to include the words "low income" elderly housing only,in the first condition sentence. The Finance Committee recommends the motion to amend. Mrs. Delaney stated that is the only type of elderly housing that the Authority could build. Voice vote taken on the motion to amend, motion carried,unanimously. Edward Marshall moved the question to

stop debate, hearing no discussion, the Moderator asked for a voice vote on the main motion as amended twice, motion carried, unanimously. Article 40 reads as follows:

Chairman of the Housing Authority, Ruth K. Delaney, moved that the Town vote to authorize the Board of Selectmen for consideration of One ($1.00) dollar to convey to the Chelmsford Housing Authority, all right, title, and interest, if any, held by the Town in a parcel of land known as the North School and containing approximately 16.5 acres of land, more or less, and being a portion of property taken by the Town of Chelmsford by order of taking dated Janauary 17, 1951, recorded in the Middlesex North District Registry of Deeds in Book 1161,Page 258, subject to the following terms, conditions and restrictions: First that the above property is used for the exclusive and specific purpose of low income elderly housing, Second, that the Chelmsford Housing Authority shall not convey, lease, or otherwise alienate any interest in the above property. If either of these conditions occurs, then the title to the property shall automatically revert to the Town of Chelmsford.

UNDER ARTICLE 29 Chairman of the Planning Board John McCarthy moved to withdraw the article.

The Finance Committee recommends the motion. Motion carried.

UNDER ARTICLE 30 Chairman of the Planning Board John McCarthy moved to withdraw the article.

The Finance Committee recommends the motion. Motion carried.

UNDER ARTICLE 31 Chairman of the Planning Board John McCarthy moved to withdraw the article.

UNDER ARTICLE 32 Deputy Chief Fitts, of the Police Department spoke about the article, and explained that this by-law presently exists in Chelmsford. However since it was passed and approved last year at the Annual Town Meeting changes had to be made in order to be able to enforce the by-law better. The Moderator asked for a voice vote on the motion, motion carried, unanimously. The article reads as follows:

Selectman Dennis Ready moved that the Town vote to amend the General By-Laws Article VI Police Regulations by deleting Section 20 Prohibition on Unauthorized Parking in Designated Handicapped Parking Spaces in Private or Public Ways in its entirety and substitute the following:

Section 20. Prohibition on Unauthorized Parking in Designated Handicapped Spaces in Private or Public Ways.

1. It shall be unlawful to park a motor vehicle in a parking space reserved and designated for use by vehicles of handicapped persons, whether located on public or private ways or properties, unless authorized to do so by the terms of this by-law or the General Laws of the Commonwealth of Massachusetts.

2. A fine of $15.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and designated for use by vehicles of handicapped persons, pursuant to the authority of Chapter 90, Section 20C of the Massachusetts General Laws.

3. The Police Department and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away, or have removed and towed away by commercial towing services, at the sole expense of the owner of said motor vehicle, any motor vehicle left unattended or parked in a parking space reserved and designated for use by a vehicle of a handicapped person, unless said vehicle shall be designated as a vehicle of a handicapped person. Motor vehicles so towed away shall be stored in a safe place and restored to the owner or operator thereof upon payment by the owner or operator of the expenses incurred in said removal and storage.

4. (a) The person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a handicapped person whose vehicle bears the distinguishing license plate authorized by section two of chapter ninety, according to the following formula;

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four, more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one-half of one percent of such spaces but not less than thirty.

(b) Parking spaces designated as reserved under the provisions of paragraph (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking; Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet of cross hatch between them.

5. Violation of this By-Law shall be punishable as provided in General By-Law, Article I.

6. In the absence of the operator of any motor vehicle violating any provisions of the By-Law, it shall be deemed that the registered owner of such vehicle was the operator.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed sixty (60) days from the date of issue and shall be displayed in front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $50.00.

9. Each day that any violation continues shall constitute a separate offense.

UNDER ARTICLE 33 Town Counsel James Harrington explained the history behind articles 33,34,35, &36. Since 1978 the Attorney General has a case pending with the Town of Chelmsford for the town to close the landfill on Swain Road. Articles33 &34 changes the zoning from CX to RM & RC. Articles 35 & 36 is a land swap, in order to obtain a clear title on the landfill.

Chairman of the Planning Board John McCarthy read the Board's recommendation: The Planning Board held a Public Hearing on April 24, 1985 and unanimously voted to recommend the article in its present form.

The Finance Committee recommends the article. The Moderator asked for a voice vote, motion carried, unanimously. The Article reads as follows:

Chairman of the Planning Board, John McCarthy moved that the Town vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from Adult Entertainment District (CX) to Multiple Residence District (RM) the following described parcels

PARCEL ONE

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 35± west of the culvert in Scotty Hollow Brook;

Northerly through land of the Town of Chelmsford 390± feet;

Southwesterly by land of the H. E. Fletcher Company, 210± feet;

Southerly by land of Hicks, 305± feet;

Northeasterly by land of Hicks, 175± feet;

Containing, according to said plan, approximately 1.33± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 660± feet southwest of the southwest corner of the Town Salt Shed Building;

Southeasterly by land of G. Abrahamson, 200± feet;

Northeasterly by land of Smith, 30± feet;

Northwesterly by land of Sugen, 45± feet;

Northerly by land of Sugden, 80± feet;

Northeasterly by land of Sugden, 110± feet;

Westerly through land of the Town of Chelmsford, 175± feet.

Containing, according to said plan, approximately 0.33± acres of land.

Said Plan being filed with the Town Engineer and Planning Board.

UNDER ARTICLE 34 Chairman of the Planning Board John McCarthy read the Board's recommendation: The Planning Board held a Public Hearing on April 24, 1985 and unanimously voted to recommend this article in its present form.

The Finance Committee recommends the article. The Moderator asked for a voice vote, motion carried, unanimously. The Article reads as follows:

Chairman of the Planning Board John McCarthy moved that the Town vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from Adult Entertainment District (CX) to General Residence District (RC) the following parcel:

The land in Chelmsford, Middlesex County Massachusetts situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 160± feet north of the northwest corner of the Town Salt Shed Building;

Northwesterly by land of the Lowell Sportsmen's Club, 725± feet;

Southwesterly by land of the H. E. Fletcher Company, 445± feet;

Southeasterly through land of the Town of Chelmsford, 510± feet;

Northeasterly through land of the Town of Chelmsford, 305± feet;

Containing according to said plan, approximately 4.94± acres of land.

Said plan being filed with the Town Engineer.

UNDER ARTICLE 35 The Finance Committee recommends the article. The Moderator asked for a voice vote on the motion, motion carried, unanimously. Reads as follows:

Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title and interest, if any, held by the Town in three (3) parcels being a portion of land at the property now or formerly known as the Swain Road Landfill and more particulary described as follows:

PARCEL ONE

The land in Chelmsford, Middlesex County Massachusetts situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 160± feet north of the northwest corner of the Town Salt Shed Building;

Northwesterly by land of the Lowell Sportsmen's Club, 725± feet;

Southwesterly by land of the H. E. Fletcher Company, 445± feet;

Southeasterly through land of the Town of Chelmsford, 510± feet;

Northeasterly through land of the Town of Chelmsford, 305± feet;

Containing according to said plan, approximately 4.94± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 35± west of the culvert in Scotty Hollow Brook;

Northerly through land of the Town of Chelmsford 390± feet;

Southwesterly by land of the H. E. Fletcher Company, 210± feet;

Southerly by land of Hicks, 305± feet;

Northeasterly by land of Hicks, 175± feet;

Containing, according to said plan, approximately 1.33± acres of land.

PARCEL THREE

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a point located 660± feet southwest of the southwest corner of the Town Salt Shed Building;

Southeasterly by land of G. Abrahamson, 200± feet;

Northeasterly by land of Smith, 30± feet;

Northwesterly by land of Sugen, 45± feet;

Northerly by land of Sugden, 80± feet;

Northeasterly by land of Sugden, 110± feet;

Westerly through land of the Town of Chelmsford, 175± feet.

Containing, according to said plan, approximately 0.33± acres of land.

Said plan being filed with the Town Engineer and Planning Board.

UNDER ARTICLE 36 The Finance Committee supports the article. The Moderator asked for a voice vote on the motion, motion carried, unanimously. Reads as follows:

Selectman Dennis Ready moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple, by purchase, the following two parcels located at the property now or formerly known as the Swain Road Landfill and more particularly described as follows:

PARCEL ONE

The land in Chelmsford, Middlesex County, Massachusetts, situated approximately 1,800 feet in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

starting at a point located 70± feet east of the culvert in Scotty Hollow Brook;

Southeasterly through land of Hicks, 110± feet;

Northeasterly through land of Hicks and Leedburg, 390± feet;

Northeasterly through land of F. Abrahamson & G. Abrahamson, 200± feet;

Northwesterly by land of the Town of Chelmsford, 70± feet;

Southwesterly by land of the Town of Chelmsford, by three courses, 320± feet, 170± feet and 80± feet;

Westerly by land of the Town of Chelmsford, 55± feet.

Containing, according to said plan, approximately 1.30± acres of land.

PARCEL TWO

The land in Chelmsford, Middlesex County, Massachusetts, situated in a westerly direction from Swain Road, being shown on a plan entitled "Compiled Sketch Plan of Land for the Town of Chelmsford, Mass", scale 1 inch = 100 feet, dated March 16, 1985, being described as follows;

Starting at a utility pole along the west side of Swain Road located 100± feet north of the Town Landfill Old Access Road;

Westerly through land of the Lowell Sportsmens Club, 620± feet;

Northerly through land of the Lowell Sportsmens Club, 245± feet;

Westerly through land of the Lowell Sportsmens Club, 275± feet;

Southeasterly by land of the Town of Chelmsford, 505± feet;

Easterly by land of Sugden, 105± feet;

Northeasterly by land of Sugden, 230± feet;

Southeasterly by land of Sugden, 330± feet;

Southeasterly by land of Sugden, 115± feet;

Northerly by Swain Road by three courses, 140± feet, 65± feet, 100± feet.

Containing, according to said plan, approximately 4.55± acres of land.

Said plan being on file with the Town Engineer and Planning Board.

The consideration for said purchase shall be determined by the Board of Selectmen in the form of transfers of other properties set forth in Article 35.

UNDER ARTICLE 37 Selectman Ready moved to withdraw the article. The Finance Committee supports the motion. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 38 A Discussion took place. The Finance Committee moved to amend the motion by adding to the end of the article " The Board of Selectmen shall not expend any funds until a firm commitment has been obtained from the resource recovery plant private sector proposer to reimburse the Town for all expenditures made under this article. After a lengthy discussion the Moderator asked for a voice vote on the motion to amend. Motion carried. The Moderator asked for a voice vote on the motion as amended, motion carried. The article reads as follows:

Selectman Ready moved that the town vote to authorize the Board of Selectmen to engage engineers, apraisers, attorneys and other necessary consultants for the purpose of preparing all documentation required for the design, of a resource recovery facility and further to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements, and further I move that the Town vote to raise and appropriate, the sum of one hundred twenty five thousand dollars (125,000.00)

to defray all necessary costs, fees, and expenses. The Board of Selectmen shall not expend any funds until a firm commitment has been obtained from the resource recovery plant private sector proposer to reimburse the Town for all expenditures made under this article.

UNDER ARTICLE 39 Selectman Ready moved to withdraw the article. The Finance Committee supports the motion. Motion carried by voice vote.

UNDER ARTICLE 41 George Ripsom of the Finance Committee moved that the Town vote to instruct the Board of assessors in their discretion to issue an amount of money not to exceed $1,100,000.00 from free cash in the Treasury for the reduction of the tax rate. The Board of Assessors shall be authorize to issue a lessor sum if deemed in the best interests of the Town.

The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator adjourned the Annual Town seeing that there was no further business at hand. Motion carried. The meeting adjourned at 10:35 PM.

Dennis McHugh,
Moderator

Mary E.St.Hilaire,
Town Clerk

WARRANT FOR SPECIAL TOWN MEETING
JUNE 24, 1985

COMMONWEALTH OF MASSACHUSETTS

IDDLESEX, SS.

o the Constable, or any other suitable person of the Town of Chelmsford:

reeting:

In the name of the Commonwealth, aforesaid, you are hereby requested o notify and warn the legal voters of said Chelmsford to meet in the cCarthy Junior High School Auditorium on Monday evening, the wenty-fourth day of June 1985 at 7:30 P.M., then and there to act upon he following Articles, Viz:

RTICLE 1 To see if the Town will vote to direct the Board of Selectmen to petition the Great and General Court of the Commonwealth of Massachusetts to enact special legislation creating the East Chelmsford Industrial Sewer District, to encompass a portion of the existing industrial district in East Chelmsford; or act in relation thereto

BOARD OF SELECTMEN

RTICLE 2 To see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all contracts and agreements including agreements with the East Chelmsford Industrial Sewer District, and Private Industry, for the purpose of sewer services by and between the Town of Chelmsford and the East Chelmsford Industrial Sewer District, and authorize the Board of Selectmen to execute all necessary and proper warrants and agreements with the East Chelmsford Industrial Sewer District; or act in relation thereto.

BOARD OF SELECTMEN

RTICLE 3 To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to alleviate certain drainage problems on Weide Street; or act in relation thereto.

BOARD OF SELECTMEN

ARTICLE 4. To see if the Town will vote to transfer from available funds a certain sum of money to the appropriate salary line items to fund approved wage and salary increases in the following departmental accounts:

Cemetery Department
Highway Department

and any other departmental budget recommended by the Board of Selectmen at Special Town Meeting; or act in relation thereto.

Board of Selectmen

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting.

Given unto our hands this 6th day of June, A.D. 1985.

Dennis J. Reddy, Chairman

John P. Emerson, Jr. Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren

Paul C. Hart

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. JUNE 6, 1985

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafetorium; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; South Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

The Special Town Meeting was called to order at 7:45 PM, in the McCarthy Jr. High Auditorium, by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 340 voters present.

Selectman Ready moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted unanimously. Selectman Ready moved that the reading of the entire warrant be waived. It was so voted, unanimously.

UNDER ARTICLE 1 The Moderator read the first sentence of each section of the article. Selectman Ready spoke in favor of the article. John Emerson of the Sewer Commission spoke in favor. George Ripsom of the Finance Committee spoke in favor of the article. Many questions were asked by the Town Meeting Body, concerning the Environmental Impact clause, what would happen if a company left the area, who would be responsible for the payment of the system? Would the residential homes in the immediate area have to be included in the project? After a lengthy discussion in which these and other questions were answered, Eugene Crane moved the question to stop debate. The Moderator asked if there was any need for hearing any further debate, if none, then he would conduct a vote on the article. Hearing none he asked for a voice vote on the article. Motion carried, unanimously. The article reads as follows:

Selectman Dennis Ready moved that the Town vote to direct the Board of Selectmen to petition the Great and General Court to enact special legislation creating the Chelmsford Center Industrial Sewer District. Such legislation shall read as follows:

SECTION 1. Those inhabitants of the Town of Chelmsford within the territory bounded and described as follows: Beginning: At a point on the border of the Town of Chelmsford and the Town of Billerica located at Route 3, and thence running:

Northweasterly along Route 3 to 495; thence
Westerly from 495 to River Meadow Brook; thence
Southwesterly over various courses along River Meadow Brook, to Turnpike Road; thence
Southeasterly along Turnpike Road to Mill Road; thence
Easterly along Mill Road, approximately one thousand five hundred feet (1,500'); thence
Southeasterly to the Billerica Town Line; thence
Northeasterly along said Town line to the point of beginning.

Said area is more particularly described on a plan entitled "Proposed Chelmsford Industrial Sewer District, Scale 1" = 1,000', May, 1985, prepared by Weston and Sampson Eng., Inc., a copy of which is attached hereto and incorporated herein by reference. Said described area shall constitute a sewer district and hereby made a body corporate entitled the Chelmsford Center Industrial Sewer District hereinafter referred to as the District.

SECTION 2. The purpose of the district shall be to lay out, construct, maintain, improve and operate a system or systems of sanitary sewers within or without the district which benefit a part or whole of the territory within the district, contracting with the Town of Chelmsford for such purposes, and for assessing and raising revenues as provided herein to pay for such services.

SECTION 3. The powers conferred by this act shall be exercised by a board of sewer commissioners, consisting of seven (7) members. One member shall be a member of the Board of Selectmen, one member shall be a member of the Sewer Commission, and the remaining five (5) members shall be appointed by the Board of Selectmen for the Town of Chelmsford, said members being operators of businesses or landowners located within the district. In the event any member should by a change of circumstances either by disposal of property, change of business interest, or removal from the Board of Selectmen or Sewer Commission as the case may be, fail to continue to meet the underlying criteria of his appointment, then said member shall notify the Board of Sewer Commissioners and his term shall terminate 30 days after the date of the occurrence of said change in circumstances. The Board of Selectmen shall immediately upon notice appoint a new member to complete the unexpired term and said appointment to become effective on

the 31st day after the occurrence of the change. Said board shall not be subject to the supervision of the Sewer Commission of the town or of any other department, commission, board, bureau or agency of the town except to the extent and in the manner provided in this act. Members shall serve three-year terms, except the two (2) member of the initial board shall serve a one-year term, two (2) members shall serve two-year terms, and three (3) members shall serve three-year terms, the term of each initial board member to be designated by the Selectmen on appointment subject to the requirements of this Section. Any member of the board may be eligible for reappointment. Three members of the board shall constitute a quorum and the affirmative vote of three members shall be necessary for any action taken by vote of the board; provided, however, that an affirmative vote of four members shall be necessary to exercise any of the powers enumerated in clause (i) of section four. No vacancy in the membership of the board shall impair the right of a quorum to exercise the powers of the board. Any action by the board shall take effect immediately unless otherwise provided and need not be published or posted.

SECTION 4. The board, acting for and on behalf of said district, shall have all the rights and powers necessary or convenient to carry out and effectuate this act, including, but without limiting the generality of the foregoing, the following rights and powers:

(a) to adopt by-laws for the regulation of its affairs and the conduct of its business, to promulgate rules, regulations and procedures in connection with the performance of its functions and duties, and to fix, enforce and collect penalties for the violation thereof; provided, however, that any by-laws with respect to the removal of members of the board shall be consistent with the by-laws of the Town of Chelmsford;

(b) to adopt an official seal and alter the same at pleasure;

(c) to maintain an office at such place or places as it may determine;

(d) to apply for, receive, accept, administer, expend and comply with the conditions, obligations and requirements respecting any grant, gift, loan, including without limitation any grant, gift or loan from agencies of local, state or federal governments, donation or appropriation of any property or money in aid of the purposes of the district and to accept contributions of money, property, labor or other things of value;

(e) to acquire by purchase, lease, lease-purchase, sale and lease-back, gift or devise, or to obtain options for the acquisition of, any property, real or personal, tangible or intangible, or any interest therein, in the exercise of its powers and the performance of its duties; provided, however, that the board may not acquire property by eminent domain, except as provided for in clause (g);

(f) to sell, lease, mortgage, exchange, transfer or otherwise dispose of, or to grant options for any such purposes with respect to, any property, real or personal, tangible or intangible, or any interest therein;

(g) to construct, improve, extend, enlarge, maintain and repair the sewer works system for the benefit of the district; to construct such sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and to enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same; provided, however, that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities; and to make and maintain, in any way therein where main drains and common sewers are constructed, such connecting drains, sub-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon such way. With respect to any work under this clause, the district shall be deemed to be a public agency for purposes of sections forty-four A to 44A to 44H, inclusive, of Chapter 149 of the General Laws and a commission of the Town of Chelmsford for purposes of Sections 38A 1/2 to 38M, inclusive of Chapter 7 of the General Laws and a public agency of the town for purposes of Sections 39A to 40M, inclusive, of said Chapter 7. No work, project or activity of the district the total cost of which is less than three million dollars shall be subject to the provisions of said Sections 61 to 62H, inclusive, of Chapter 30 of the General Laws; provided, however, that unless the district is otherwise exempted under this act, all applicable provisions of the General Laws protecting public health, welfare and safety shall be applicable;

(h) to pledge or assign any money, fees, charges, or other revenues of the district and any proceeds derived by the district;

(i) to borrow money and incur indebtedness and issue bonds or notes as hereinafter provided;

(j) to enter into contracts and agreements with the Town of Chelmsford in all matters necessary, convenient or desirable for carrying out the purposes of this act including, without limiting the generality of the foregoing, construction (including sewers outside the district but benefiting the district), improvements, collection of revenue, data processing, and other matters of management, administration and operation; to make other contracts of every name and nature; and to

execute and deliver all instruments necessary or convenient for carrying out any of its purposes provided that all contracts made pursuant to clause (g) shall be approved by the selectmen of the Town of Chelmsford

(k) to exercise the powers and privileges of, and to be subject to limitations upon, towns and cities provided by the provisions of Sections 38 to 42I, inclusive, of Chapter 40 of the General Laws and Sections 1 to 24, inclusive, and 27 to 29, inclusive, of Chapter 83 of the General Laws, insofar as such provisions may be applicable and are consistent with the provisions of this act; provided, however, that any requirement in said sections or chapters for a vote by the Board of Selectmen or other governing body of a town or for a vote by the voters of a town shall be satisfied by a vote or resolution duly adopted by the board in accordance herewith; and, provided further, that the powers of the board to make rules and regulations and establish penalties regarding the use of sewers shall not be limited by Section 10 of said Chapter 83;

(l) to sue and be sued and to prosecute and defend actions relating to its properties and affairs; provided, however, that property of the district other than revenues pledged to the payment of notes or bonds shall not be subject to attachment nor levied upon execution or otherwise;

(m) to do all things necessary, convenient or desirable for carrying out the purposes of this act or the powers expressly granted or necessarily implied in this act; and

(n) consistent with the constitution and laws of the Commonwealth, the board shall have such other powers, including all powers pertaining to the sewer works system within its boundaries held by the town of Chelmsford not inconsistent herewith, as may be necessary for the incident to carrying out the foregoing powers and the accomplishment of the purposes of this act.

SECTION 5. The board is authorized and empowered to fix, revise, charge, collect and abate reasonable fees, rates, rents and assessments, and other charges for sewer and other services, improvements, facilities, and commodities furnished or supplied to real property in the district. In providing for the payment of the cost of said system or systems or the improvements thereof, or for the use of said system or systems, the board may avail itself of the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer charges, including betterments, or the establishment of liens therefore and interest thereon. In order to provide for the collection and enforcement of its fees, rates, rents, assessments and other charges, the board is hereby granted all the powers and privileges with respect thereto held by the Town of Chelmsford on the effective date of this act or as otherwise provided in this act, to be exercised concurrently with the town.

The fees, rates, rents, assessments and other charges of the board of general application shall be adopted and revised by the board at least annually in accordance with procedures to be established by the board for assuring that interested persons are afforded notice and an opportunity to present data, views and arguments. The board shall hold at least one public hearing on its schedule of fees, rates and charges or any revision thereof prior to adoption, notice of which shall be delivered to the selectmen and be published in a newspaper of substantial circulation in the town at least one month in advance of the hearing. No later than the date of such publication, the board shall make available to the public and deliver to the selectmen the proposed schedule of fees, rates and charges.

The fees, rates, rents, assessments, abatements and other charges established by the board shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the Commonwealth or any of its political subdivisions, including, without limitation, the town, nor shall the district be subject to the provisions of Section 20A of Chapter 59 of the General Laws. Notwithstanding the foregoing, except to the extent of betterments assessed by the board, the board shall have no power of taxation. The board's operating budget shall be limited to the sum of five thousand dollars for current administrative expenses approved by the board in the year nineteen hundred and eighty-five. Each year thereafter said sum may be increased two and one-half per cent per year.

The fees, rates, rents, assessments and other charges established by the board in accordance with this section shall be so fixed and adjusted in respect of the aggregate thereof so as to provide revenues at least sufficient (i) to pay the current expenses of the board, (ii) to pay the principal of, premium, if any, and interest on bonds or other evidences of indebtedness issued by the board under this act as the same become due and payable, (iii) to create and maintain such reasonable reserves as may be reasonably

required by any trust agreement or resolution securing bonds, (iv) to provide funds for paying the cost of all necessary repairs, replacements and renewals of the sewer works system and (v) to pay or provide for any amounts which the board may be obligated to pay or provide for by law or contract including any resolution or contract with or for the benefit of the holders of its bonds.

SECTION 6. The board is hereby authorized and empowered to provide by resolution for the issuance, at one time or from time to time of notes of the district in the aggregate principal amount of two million dollars outstanding at any one time, excluding notes refunded by other notes issued under this paragraph, for the purpose of providing funds for paying the cost of constructing or acquiring such improvements, extensions, enlargements, alterations, reconstruction or remodeling for the sewer works system as may be authorized by such resolution, including the funding of interest on any notes of the district has issued pursuant to section seven hereof in anticipation of federal, state or local grants for such work.

Except as otherwise provided herein, notes issued by the district in accordance with this section shall be issued in anticipation of bonds to be issued by the district pursuant to section seven of this act and shall be authorized, issued and sold in the same manner as, and shall otherwise be subject to section eight and other provisions of this act relating to, such bonds. Such notes shall mature at such time or times as provided by resolution of the board and may be renewed from time to time; provided, however, that all such notes and renewals thereof shall mature on or prior to twenty years after their date of issuance.

The proceeds of the notes authorized by this section shall be used solely for paying or providing for the cost of extensions, improvements or enlargements of the sewer works system including repayment of interest on notes of the district as provided in the second paragraph and shall be disbursed in such manner and under such restrictions as may be provided in the resolution of the board.

SECTION 7. In addition to the notes issued under the provisions of section six, the board may provide by resolution for the issuance from time to time of bonds of the district for any of its corporate purposes. Bonds may be issued hereunder as general obligations of the district or as special obligations payable solely from particular funds. Without limiting the generality of the foregoing, such bonds may be issued to pay or refund notes issued by the Board pursuant to section six, to pay the cost of extension, enlargement, or improvement of the sewer works system, to provide such reserves for debt service, repairs and replacements or other costs as may be required by a trust agreement or resolution securing bonds of the district, or for any combination of the foregoing purposes. The board may also provide by resolution for the issuance from time to time of temporary notes in anticipation of the revenues to be collected for received by the board in any year, or in anticipation of the receipt of federal Commonwealth or local grants or other aid. The issuance of such notes shall be governed by the provisions of this act relating to the issuance of bonds other than such temporary

notes as the same may be applicable; provided, however, that notes issued in anticipation of revenues shall mature no later than one year from their respective dates and notes issued in anticipation of federal, Commonwealth or local grants or other aid and renewals thereof shall mature no later than the expected date of receipt of such grants or aid. Notes in an anticipation of revenues issued to mature less than one year from their dates may be renewed by the board from time to time by the issue of other temporary notes hereunder; provided, however, that the period from the date of an original note to the maturity of any note issued to renew or pay the same or the interest thereon shall not exceed one year.

SECTION 8. The principal of, premium, if any, and interest on all bonds or notes issued under the provisions of this act, unless otherwise provided herein, shall be payable solely from the funds provided therefor from revenues as herein provided. Bonds or notes of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, bankers loan rate or other method determined by the board and shall mature at such time or times, as may be determined by the board, and may be made redeemable for maturity at the option of the board at such price or prices and under such terms and conditions as may be fixed by the board prior to the issue of bonds or notes. The board shall determine the form of bonds or notes, including interest coupons, if any, to be attached thereto, and the manner of execution of bonds or notes and shall fix the denomination or denominations of bonds or notes and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the Commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or notes or coupons shall cease to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes as if he had remained in office until after such delivery. The board may also provide for authentication of bonds by a Trustee or fiscal agent. Bonds or notes may be issued in bearer, if not in conflict with federal law, or in registered form, or both, and, if notes, may be made payable to bearer or to order, as the board may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds or bonds registered as to both principal and interest and for the interchange of bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The board may by resolution delegate to any member of the board or any combination of them the power to determine any of the matters set forth in this section including the power to award such bonds or notes to a purchaser or purchasers at public sale. The

board may sell its bonds or notes in such manner, either at public or private sale, for such price, at such rate or rates of interest, or at such discount in lieu of interest, as it may determine will best effect the purposes of this act.

The board may issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The board may also provide for the replacement of any bonds which shall have become mutilated or shall have been destroyed or lost.

In the discretion of the board, any bonds issued hereunder may be secured by a resolution of the board or by a trust agreement between the board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the Commonwealth, and such trust agreement shall be in such form and executed in such manner as may be determined by the board. Such trust agreement or resolution may pledge or assign, in whole or in part, the revenues and other moneys held or to be received by the board, including the revenues from any improvements already existing when the pledge or assignment is made, and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the board, and proceeds thereof. Such trust agreement or resolution may contain such provisions for protecting and enforcing the rights, security and remedies of the bondholders as may, in the discretion of the board, be reasonable and proper and not in violation of law, including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof which may include the acceleration of maturities and covenants setting forth the duties of, and limitations on, the board in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, use, operation, repair, insurance and disposition of property of the district, the custody, safeguarding, investment and application of moneys, the issue of additional or refunding bonds, the fixing, revision and collection of fees, rates, rents, assessments or other charges, the use of any surplus bond proceeds, the establishment of reserves, and the making and amending of contracts.

In addition to other security provided herein or otherwise by law, bonds or notes issued by the district under any provision of this act, including section six hereof, may be secured, in whole or in

part, by letters of credit issued to the district by any bank, trust company or other financial institution, within or without the Commonwealth, and the board may pledge or assign any of its revenues as security for the reimbursement by the district to the issuers of such letters of credit of any payments made under the letters of credit.

It shall be lawful for any bank or trust company to act as depository or trustee of the proceeds of bonds, revenues or other moneys under any such trust agreement or resolution and to furnish such indemnification or pledge such securities and issue such letters of credit as may be required by the board. Any such trust agreement or resolution may set forth the rights and remedies of bondholders and of the trustee and may restrict the individual right of action by bondholders. In addition to the foregoing, any such trust agreement or resolution may contain such other provisions as the board may deem reasonable and proper for the security of bondholders. Any pledge of revenues or other property made by the board under this action shall be valid and binding and shall be deemed continuously perfected for the purposes of chapter one hundred and six of the General Laws from the time when the pledge is made; the revenues, moneys, rights and proceeds so pledged and then held or thereafter acquired or received by the board shall immediately be subject to the lien of such pledge without any physical delivery or segregation thereof or further act; and the lien of any such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the board, irrespective of whether such parties have notice thereof. Neither the resolution, any trust agreement nor any other agreement by which a pledge is created need be filed or recorded except in the records of the board, and no filing need be made under the provisions of said chapter one hundred and six.

Any holder of a bond or note issued by the district under the provisions of this act or any of the coupons appertaining thereto and any trustee under a trust agreement or resolution securing the same, except to the extent the rights herein given may be restricted by such trust agreement or resolution, may bring suit upon the bonds, notes, or coupons and may, either at law or in equity, by suit, action, mandamus, or other proceedings for legal or equitable relief, including proceedings for the appointment of a receiver to take possession and control of the business properties of the board, to operate and maintain the same, to make any necessary repairs, renewals and replacements in respect thereof and to fix, revise and collect fees and charges, protect and enforce any and all rights under the laws of the Commonwealth or granted hereunder or under such trust agreement, resolution or other agreement, and may enforce and compel the performance of all duties required by

this act or by such trust agreement or resolution to be performed by the board or by any officer thereof.

SECTION 9. The board may issue refunding bonds for the purpose of paying any of its bonds at maturity or upon acceleration or redemption. Refunding bonds may be issued at such time or times prior to the maturity or redemption of the refunded bonds as the board deems to be in the public interest. Refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of refunding bonds, the expenses of redeeming bonds being refunded and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by a trust agreement or resolution securing bonds. The issue of refunding bonds, the maturities and other details thereof, the security therefore, the rights of the holders thereof, and the right, duties and obligations of the board in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable.

SECTION 10. Bonds, notes, and other evidences of indebtedness issued or entered into under the provisions of this act shall not be deemed to be a debt or a pledge of the faith and credit of the Commonwealth or the Town of Chelmsford, but shall be payable solely from the revenues of the district. All bonds, notes and other evidences of indebtedness shall contain on the face thereof a statement to the effect that neither the Commonwealth nor the Town of Chelmsford shall be obligated to pay the same and that neither the faith and credit nor the taxing power of the Commonwealth or of the Town of Chelmsford is pledged to the payment of the principal of or interest on such bonds or notes. Each bond shall also recite whether it is a general obligation of the district or a special obligation thereof payable solely from particular funds pledged to its payment. Each bond or note shall bear on its face the words, Chelmsford Center Industrial Sewer District Loan, Act of 1985. The outstanding debt of the district shall not exceed in the aggregate, two million dollars. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Any indebtedness issued under this act with the exception of renewal notes issued pursuant to section six or refunding bonds issued pursuant to section nine shall be issued within two years of the effective date of this act. Indebtedness incurred under this act shall be limited to the issuance of bonds or notes as herein provided, and any other provision of the General Laws permitting the district to incur additional debt shall not be applicable.

SECTION 11. All moneys received pursuant to the provisions of this act, whether as proceeds from the issue of bonds or as revenue or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this act.

SECTION 12. Bonds or notes issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the Commonwealth and its political subdivisions, all insurance companies, commercial departments of trust companies, savings banks, co-operative banks, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. Such bonds or notes are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the Commonwealth for any purpose for which the deposit of bonds or obligations of the Commonwealth is now or may hereafter be authorized by law.

SECTION 13. Notwithstanding any of the provisions of this act or any recitals in any bonds issued under this act, all such bonds shall be deemed to be investment securities under the provisions of chapter one hundred and six of the General Laws.

SECTION 14. Bonds or notes may be issued under this act without obtaining the consent of the emergency finance board established under the provisions of chapter forty-nine of the acts of nineteen hundred and thirty-three or of any department, division, commission, board, bureau or agency of the Commonwealth or the town, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required therefor by this act, and the validity of and security for any bonds or notes issued by the district shall not be affected by the existence or nonexistence of any such consent or other proceedings, conditions or things.

SECTION 15. The district and all its revenues, income and real and personal property shall be exempt from taxation and from betterments and special assessments and the district shall not be required to pay any tax, excise or assessment to or for the Commonwealth or any of its political subdivisions. Bonds or notes issued by the district and their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be exempt from taxation within the Commonwealth.

SECTION 16. The board shall at all times keep full and accurate accounts of its receipts, expenditures,

disbursements, assets and liabilities, which shall be open to inspection by any officer or duly appointed agent of the Commonwealth of the town. The district shall operate on a fiscal year commencing July first unless otherwise provided by the board. Before the issuance of any bonds under the provisions of this act any member or officer of the board charged with responsibility for the issuance thereof, shall each execute a surety bond in the sum of one hundred thousand dollars payable to the district, or in lieu thereof the board shall obtain a blanket position bond covering any member of officer of the board charged with responsibility for the issuance of any bonds in the sum of one hundred thousand dollars, such surety bonds to be conditioned upon the faithful performance of the duties of their offices, to be executed by a surety company authorized to transact business in the Commonwealth as surety and approved by the board.

SECTION 17. Upon termination or dissolution of the district, the title to all funds and other properties owned by it which remain after payment or the making of provision for payment of all bonds and other obligations of the board shall vest in the town. If upon any such termination or dissolution any bonds or notes of the board shall be outstanding, such bonds or notes, shall continue to be payable solely from the revenues and other property pledged therefor and shall not be or become a debt or obligation of the town except to the extent of such pledge.

No law affecting the powers, rights, duties, or obligations of the board shall be effective unless it shall apply to sewer districts generally or shall have been approved under the provisions of Article 2 of the Amendments to the Constitution of the Commonwealth.

SECTION 18. The provisions of this act shall be deemed to provide an exclusive, additional, alternative and complete method of the doing of the things authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the board by law; provided, however, that insofar as the provisions of this act are inconsistent with the provisions of any general or special law, administrative order or regulation, or the by-laws of the Town of Chelmsford, the provisions of this act shall be controlling. Without limiting the generality of the foregoing, no provision of the by-laws of the Town of Chelmsford requiring the ratification by the voters of certain bond issues shall apply to the issuance of bonds of the district pursuant to this act, nor shall the provisions of chapter forty-four of the General Laws be applicable to the manner of voting or the limitations as to amount and time of payment of debts incurred by the district.

SECTION 19. The district shall be dissolved by vote of the board one year from the date all debt issued by the district has been retired and all liabilities of the district have been satisfied fully. No further action of the Town of Chelmsford or the Commonwealth shall be required to dissolve the district.

SECTION 20. This act, being necessary for the welfare of the town and its inhabitants, shall be liberally construed to effect the purposes hereof.

SECTION 21. This act shall take effect upon its passage.

UNDER ARTICLE 2 Selectman Ready moved that the Town vote to authorize the Board of Selectmen to negotitate and execute all contracts and agreements including agreements with Chelmsford Center Sewer District, and Private Industry, for the purpose of sewer services by and between the Town of Chelmsford and Chelmsford Center Industrial Sewer District, and authorized the Board of Selectmen to execute all necessary and proper warrants and agreements with the Chelmsford Center Industrial Sewer District.

Selectman Ready stated that the Board of Selectmen were in favor of the article. The Finance Committee was in favor. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 3 Selectman Ready moved that the Town vote to transfer the amount of eleven thousand one hundred seventy-six and 10/100 dollars ($11,176.10) from Article 6, of the Special Town Meeting of November 19, 1984, and to raise and appropriate the amount of eight hundred twenty-three and 90/100 dollars ($823.90) to alleviate certain drainage problems on Weide Street.

Selectman Ready explained that presently the water on the street was running onto private property, and that the amount requested was left from the Dunshire Drive project, this was just a transfer of the monies all ready voted on to a new project. The Finance Committee supported the article. The Moderator asked for a voice vote, Motion carried, unanimously.

UNDER ARTICLE 4 Selectman Ready moved that the Town vote to raise and appropriate the sum of forty-three thousand six hundred twenty-two and 00/100 dollars ($43,622.00) to be transferred to the following salary and expense line items in the indicated specific amounts to fund approved wage and salary increases and expense allocations in the following departmental accounts:

Cemetery Department:		Highway Department:	
Line Item #12 Salaries	$4,717.00	Line Item #40 Salaries	$36,000.00
Line Item #13 Expenses	400.00	Line Item #41 Expenses	2,000.00

Veterans Benefits Department:
Line Item #116 Salaries $505.00

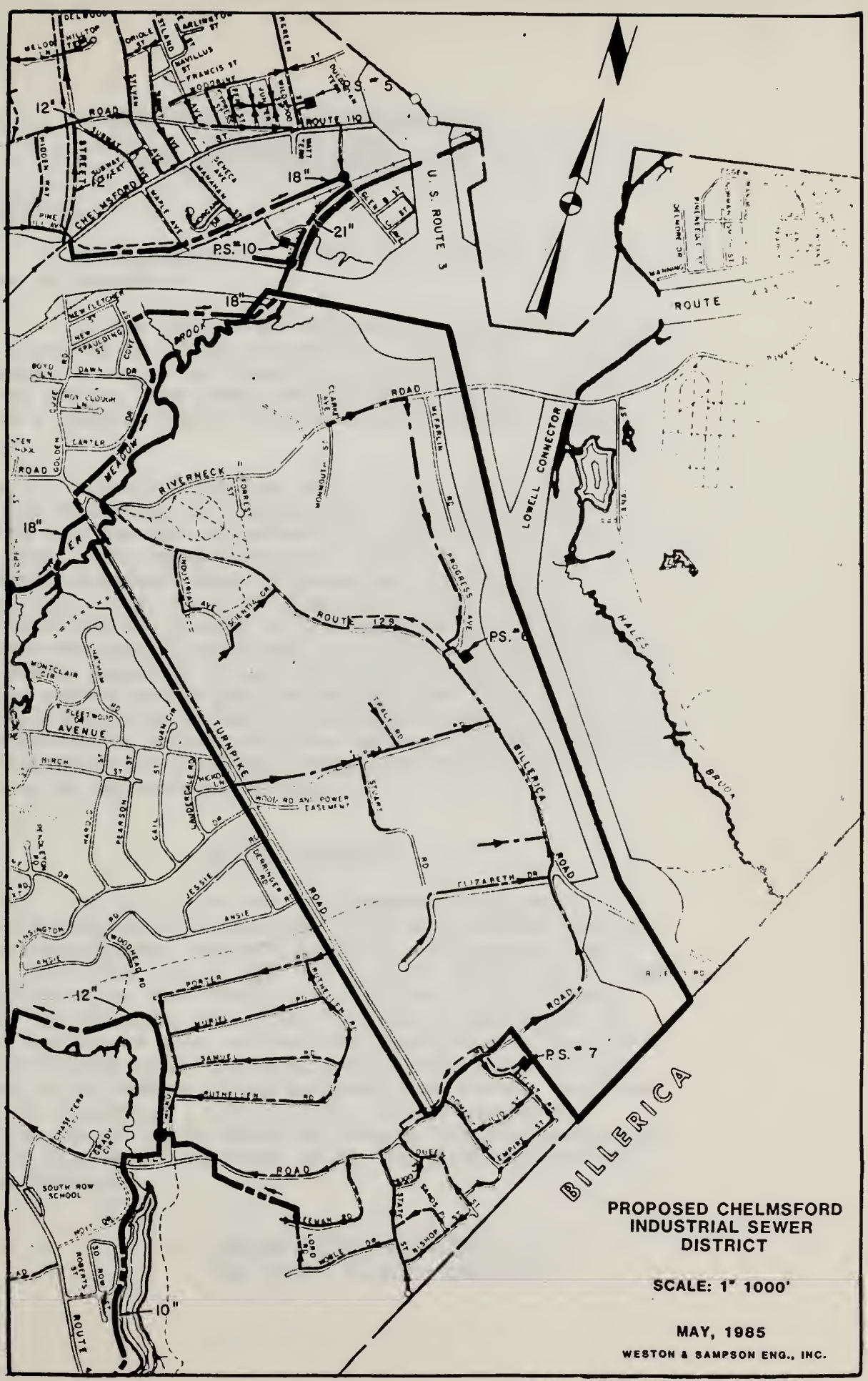
For a total figure of $43,622.00

The Board of Selectmen were in favor of the article. The Highway and Cemetery Departments had settled their contracts and these were the negotiated figures. The Finance Committee did not approve of the 7% increase in salaries. Selectman Paul Hart spoke in favor of the Highway Department figures. Due to Prop.2½, this department was reduced the most and he felt that they had done an excellent job despite the cut backs, and deserved the amount requested. The Moderator asked for a voice vote, motion carried.

The Moderator adjourned the meeting at 8:25 PM due to the business at hand being completed. Motion carried.

Dennis McHugh
Moderator

Mary E. St.Hilaire,
Town Clerk



Article 1 STM 6-24-85

WARRANT FOR SPECIAL TOWN MEETING
JANUARY 27, 1986
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

In the name of the Commonwealth, aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in the McCarthy Junior High School Auditorium on Monday evening, the twenty-seventh day of January 1986, at 7:30 P.M., then and there to act upon the following Articles, Viz:

ARTICLE 1. To see if the Town will vote to accept the provisions of Section 13, Chapter 188 of the acts of 1985 providing that the Town of Chelmsford School Department may accept grants from the Commissioner of Education in order to establish Professional Grant Programs for the purposes of supplementing school employees compensation in said Town, conditioned upon the funding of said programs by any source other than the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the School Department, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment not built into school employees salary schedules; or act in relation thereto.

_____
School Committee

ARTICLE 2. To see if the Town of Chelmsford will vote to accept the Professional Development Grant for Nashoba Valley Technical High School under the provisions of Section 13 of Chapter 188 of the Acts of 1985 for a sum of $36,551.00 for 1986 and $25,304.00 for 1987 conditioned upon the funding of said programs by any source other than the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the Nashoba Valley Technical High School, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment not built into school employees salary schedules; or act in relation thereto.

_____
Nashoba Valley Technical
High School District Committee

ARTICLE 3. To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 40, Section 8J, providing that the Town is authorized to establish a handicapped commission for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped in coordination with programs of the office of handicapped affairs; or act in relation thereto.

Board of Selectmen

ARTICLE 4. To see if the Town will vote to transfer from available funds a certain sum of money from Line Item #124 Unclassified Department - County Retirement Assessment to the following line items:

Line Item #12 Cemetery Department - Salaries.

Line Item #54 Insurance Department - all liability.

Line Item #76 Public Buildings -salaries.

Or act in relation thereto.

Board of Selectmen

ARTICLE 5. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money with which to meet bills of previous years; or act in relation thereto.

Board of Selectmen

ARTICLE 6. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of development and establishment of a plan for the laying out of a public way a certain parcel of land from Fletcher Street to Alpine Lane, pursuant to General Law c.82 S.22, 23, and 24 and further see if the Town will vote to establish an advisory committee, consisting of 5 members, to be appointed by the Board of Selectmen and to consist of members from the Chelmsford community to review this matter and report to the Selectmen concerning the same,and further to see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to defray all necessary costs, fees and expenses, with all said contracts to be made under the supervision of the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 7. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property located from Fletcher Street through Parlmont Plaza, known as Alpine Lane, in the Town of Chelmsford, and to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; or act in relation thereto.

Petition

ARTICLE 8. To see if the Town will vote to authorize the Board of Selectmen to acquire an easement, by purchase, by eminent domain or otherwise, on the property described as Parcel C on a certain plan on file with the Town Clerk and the Town Engineer entitled "Easement Plan of Land in Chelmsford, Ma. prepared for the Town of Chelmsford, Scale 1"-40', June 6, 1985, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston Massachusetts" and further bounded and described as the property beginning at a point at the intersection of the westerly line of Mill Road and the northerly line of Elizabeth Drive, thence along the northerly line of Elizabeth Drive, S64 - 39' - 07" W, 194.96 feet; thence on said Parcel C, along a curved line to the left, having a radius of 207.00 feet, a distance of 70.77 feet; thence on said Parcel C, N20 - 14' - 55"E, 135.77 feet; thence on said Parcel C, along a curved line to the right, having a radius of 207.00 feet, a distance of 51.74 feet; thence on the westerly line of Mill Road along a curved line to the left, having a radius of 960.47 feet, a distance of 166.44 feet to the point of beginning, for the purpose of constructing improvements, widening, laying out and accepting Mill Road, State Road and Billerica Road, and to see if the Town will vote to raise and appropriate, or transfer from available funds or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 9. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of purchase and installation of a telephone communications system at the Town Office Building or other appropriate locations within the Town, said contracts to be made under the supervision of the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 10. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to the appropriate salary line items to fund approved wage and salary increases and expense allocations in the following departmental accounts:

Salary Account : Fire Department
Expense Account : Fire Department

and any other departmental budget recommended by the Board of Selectmen at the Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 11. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys, architects, and other necessary consultants for the purpose of preparing and designing all documents required to design and construct a storage facility for the Town of Chelmsford, and further to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto, and further to see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a certain sum of money to defray all necessary costs, fees, and expenses; or act in relation thereto.

Board of Selectmen

ARTICLE 12. To see if the Town will vote to authorize the School Committee to transfer, release or otherwise convey the care, custody, management, control, and all other right, title and interest if any, held by the School Committee, to the Board of Selectmen in a parcel of land and buildings thereon known as The Highland School and containing approximately 32,990 square feet more or less as shown on the records of the Chelmsford Board of Assessors Map 14, Lot 133 for the exclusive and specific use of family housing; or act in relation thereto.

School Committee

ARTICLE 13. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey all right, title and interest, if any, held by the Town, in a parcel of land and buildings thereon, known as the Highland School and containing approximately 32,990 square feet, more or less, as shown on the records of the Chelmsford Board of Assessors, Map 14, Lot 133, to the Chelmsford Housing Authority, for the exclusive and specific use of family housing provided that

the Town constructs and/or obtains storage facilities deemed adequate by the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 14. To see if the Town will vote to authorize the Board of Selectmen for consideration to be determined, to convey all right, title and interest, if any, held by the Town in a parcel of land and buildings thereon, known as the North Town Hall, and being described in a deed dated February 1, 1853, from Benjamin Adams and Thomas J. Adams, to the Inhabitants of the Town of Chelmsford, recorded in Middlesex North Registry of Deeds at Book 18, Page 33 and Middlesex South Registry of Deeds at Book 659 Page 495; to the Chelmsford Housing Authority, for the exclusive and specific use of family housing provided that the Town constructs and/or obtains storage facilities deemed adequate by the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 15. To see if the Town will vote to authorize the School Committee to transfer, release, or otherwise convey the care, custody, management, control, and all other right, title and interest if any in a parcel of land known as the North School, containing approximately 17.19 acres of land, more or less, and being a portion of the property taken by the Town of Chelmsford by Order of Taking dated January 17, 1951, recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258, to the Board of Selectman, 33.5% (6 acres) of which shall be for the exclusive and specific use of Elderly and/or Family Housing by the Chelmsford Housing Authority; or act in relation thereto.

School Committee

ARTICLE 16. To see if the Town will vote to authorize the Board of Selectmen to convey all right, title and interest, if any in two parcels of land consisting of a total of six acres, being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951, and recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258 to the Chelmsford Housing Authority Five (5) acres of which shall be for the exclusive and specific use of Elderly Housing and one (1) acre of which

shall be for the exclusive and specific use of Family Housing contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting; or act in relation thereto.

Board of Selectman

ARTICLE 17. To see if the Town will vote to rescind Article 20 of the Annual Town Meeting of 1982, passed at the session held on May 10, 1982; or act in relation thereto.

Board of Selectmen

ARTICLE 18. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, a certain sum of money to construct a senior center, on the, property under the control of the Board of Selectmen at the North School and being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951 and recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258, said contracts to be made under the supervision of the Board of Selectmen and contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 19. To see if the Town will vote to authorize the Board of Selectmen for consideration to be determined, to convey all right, title and interest, if any, held by the Town in a parcel of land and buildings thereon, known as The Louise Bishop Senior Center, located at 15 Mill Road and containing approximately 15,760 square feet, more or less, as shown on the record of the Chelmsford Board of Assessors, Plat 140, Block 37, Lot 2; to the Chelmsford Housing Authority, contingent upon the Town completing construction of a Senior Center on the North School property and contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 20. To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of $20,000 for the purpose of the erection of pre-cast concrete communication building to house a new repeater and emergency generator; or act in relation thereto.

Board of Selectmen

ARTICLE 21. To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

Finance Committee

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting. Given unto our hands this 9th day of January, A.D. 1986.

Dennis J. Ready, Chairman

John P. Emerson, Jr., Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren, Member

Paul C. Hart, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. JANUARY 9, 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafeteria; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; South Row School Auditorium Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; fourteen days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence

William E. Spence, Constable of Chelmsford

SPECIAL TOWN MEETING
January 27, 1986

The Special Town Meeting was called to order at 7:45 PM by the Moderator Dennis McHugh who recognized the presence of a quorum. There were 553 voters present, at the McCarthy Jr High Auditorium.

Selectman Ready moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Ready then moved that the reading of the entire warrant be waived. It was so voted.

The Moderator announced that the League of Women voters had assembled a book entitled "This is Chelmsford". This book consists of information of various boards, those elected and appointed, and explains how the Town Meeting form of government operates. The book is available for public sale. The Moderator acknowledge that Dorothy Lerer, a teller for many, many years at Annual and Special Town Meetings passed away recently and publicly noted thanks to her for her years of service.

UNDER ARTICLE 1 Chairman of the School Committee, Carl A. Olsson, moved that the Town vote to accept the provisions of section 13, chapter 188 of the acts of 1985 providing that the Town of Chelmsford School Department may accept grants from the Commissioner of Education in order to establish Professional Grant Programs for the purposes of supplementing school employees compensation in said Town, conditioned upon the funding of said programs by any source other that the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the School Department, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment not built into school employees salary schedules.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 2 Chairman of the School Committee, Stratos G.Dukakis, moved that the Town of Chelmsford vote to accept the Professional Development Grant for Nashoba Valley Technical High School under the provisions of section 13 of chapter 188 of the Acts of 1985 for a sum of $36,551.00 for 1986 and $25,304.00 for 1987 conditioned upon the funding of said programs by any source other than the Town of Chelmsford, and further conditioned upon the funding of said programs by any source other that the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the Nashoba Valley Technical High School, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment not built into school employees salary schedules.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARITCLE 3 Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 40,Section 8J, providing that the Town is authorized to establish a Handicapped Commission for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped in coordination with programs of the Office of Handicapped Affairs.

Selectman Ready spoke in favor of the article, and explained that this commission is to be established in the town by state law as soon as possible, and felt that the town has an immediate need for such a commission. The Finance Committee felt that the article should appear on the Annual Town Meeting warrant, that it is not an emergency article. Selectman Ready explained that the town is in violation of the state law, thus the reasoning for having the article on this warrant. Sandra McDonald spoke in favor of the article, and felt that once the Town Meeting body voted so,a commission would be established. The article isn't requesting any monies at this point, just permission to establish a commission. A brief discussion took place. The Moderator asked for a voice vote on the article, motion carried.

UNDER ARTICLE 4 Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to transfer the sum of seventy eight thousand two hundred nineteen dollars ($78,219.00) from line Item #124 Unclassified Department - County Retirement Assessment to the following line items

Line Item #12 Cemetery Department Salaries	$3,999.00
Line Item #54 Insurance Department all liability	$69,520.00
Line Items #76 Public Buildings Salaries	$ 4,700.00

The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 5 Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to transfer from Free Cash the sum of one thousand twenty one dollars and ninety-two cents ($1,021.92) with which to meet bills of previous years.

Selectman Ready explained that two bills came in after the fiscal year had closed on July 1, 1985 and that they needed to be paid. The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 6 Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of development and establishment of a plan for the laying out of a public way a certain parcel of land from Fletcher Street to Alpine Lane, pursuant to General Law. C.82 S.22,23, and 24 and further I moved that the Town vote to establish an Advisory Committee consisting of 5 members, to be appointed by the Board of Selectmen and to consist of members from the Chelmsford community to review this matter and report to the Selectmen concerning the same, and further I moved that the Town vote to transfer from Free Cash the sum of twenty thousand dollars ($20,000.00) to defray all necessary costs, fees and expenses, with all said contracts to be made under the supervision of the Board of Selectmen.

Selectman Ready explained that this article was being submitted by the Board of Selectman because of the wording of an article brought fourth to them by petition was ruled out of order by Town Counsel, and was going to be withdrawn by the proponent. Selectman Ready asked for the proponent of the petition article to come forward and speak about this article. Michael Vatalaro explained the article, said that the citizens of the town had access for twenty years of the roadway in question, as did the Police and Fire Department's. Due to this he felt that the road should be left open for public use and asked for support of the article. The Finance Committee was against the article, as well as the Board of Selectmen. Attorney Shanahan who represented Emil Dumont, the owner of the land (roadway) gave a presentation explaining why his client was against re-opening the access. A discussion took place, Town Counsel James Harrington stated that the Town denied over the years any ownership concerning the roadway by not maintaining the way,thus court cases did not hold the Town responsible when charges of neglect were filed. The Moderator asked for a voice vote on the article, motion defeated,unanimously

UNDER ARTICLE 7 Petitioner, Mary Vatalaro, moved that the Town vote to withdraw this article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 8 Chairman of the Board of Selectmen,Dennis Ready moved that the Town vote to authorize the Board of Selectmen to acquire an easement,by purchase, by eminent domain or otherwise, on property described as Parcel C on a certain plan on file with the Town Clerk and the Town Engineer entitled "Easement Plan of Land in Chelmsford, Ma. prepared for the Town of Chelmsford, Scale 1"-40', June 6, 1985, by Vanasse/Hangen Engineering, Inc., consulting engineers and planners, 60 Birmingham Parkway, Boston, Massachusetts" and further bounded and described as the property beginning at a point at the intersection of the westerly line of Mill Road and the northerly line of Elizabeth Drive, thence along the northerly line of Elizabeth Drive, S64 - 39' - 07"W. 194.96 feet; thence on said Parcel C. along a curved line to the left, having a radius of 207.00 feet, a distance of 70.77 feet; thence on said Parcel C,N20 - 14'-55"E, 135.77 feet; thence on said Parcel C, along a curved line to the right, having a radius of 207.00 feet, a distance of 51.74 feet; thence on the westerly line of Mill Road along a curved line to the left, having a radius of 960.47 feet, a distance of 166.44 feet to the point of beginning, for the purpose of constructing improvements, widening laying out and accepting Mill Road, State Road and Billerica Road, and I move that the Town vote to transfer from Free Cash the sum of one dollar ($1.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land for paying any damages which may be awarded as the result of any such taking.

Selectman Ready spoke in favor of the article. The Finance Committee was in favor. The Moderator asked for a voice vote, motion carried, unanimously

UNDER ARTICLE 9 Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to transfer from free cash the sum of thirty-five thousand dollars ($35,000.00) for the purpose of purchase and installation of a telephone communications system at the Town Office Building or other appropriate locations within the Town, said contracts to be made under the supervision of the Board of Selectmen.

Selectman Ready spoke in favor of the article. The Finance Committee felt that the article should be on the upcoming Annual Town Meeting warrant. The Capital Planning Committee supports the article. Howard Redfern, the Executive Secretary explained the article in more detail. The Moderator attempted a voice vote, which left the chair in doubt. The following tellers came forward and a hand count was taken:

Jocelyn Anthony	Barbara Ward	Jack Peters
Cheryl Warshafsky	Gail Klemmer	Margaret Johnson
David Fenn	Virginia Cooney	Natalie Driscoll
Eleanor Gilroy		Richard Lahue

a 2/3's vote required, Yes 265 No 183 298 was needed, motion defeated.

UNDER ARTICLE 10 Chairman of the Board of Selectmen, Dennis Ready, moved that the Town vote to transfer from Free Cash the sum of one hundred forty-eight thousand six hundred sixty-one dollars ($148,661.00) to the appropriate salary line items to fund approved wage and salary increases and expense allocations in the following departmental accounts:

Line Item 32 Fire Department Salary Account: 147,111.00
Line Item 33 Fire Department Expense Account: 1,550.00

Selectman Ready spoke in favor of the article,stating that the Fire Department and the Board of Selectman had negotiated in good faith, and felt that it was a fair contract. Chairman of the Finance Committee, Elizabeth Marshall, said that the Finance Committee was against the requested increase and gave a presentation explaining why. Harold Pierce President of the Firefighters Union,spoke in favor of the article. A lengthy discussion took place. George Gordon moved the question to stop debate. The Moderator asked if there was a need for further debate? Hearing none, he proceeded to ask for a vote on the article. Edward Hilliard moved to have the vote taken by silent ballot. The Moderator explained the procedure that would take place in order to have a vote taken by silent ballot. He asked for a voice vote on the motion for a silent ballot, motion defeated. He then asked for a voice vote on the main motion, motion defeated. William Dalton questioned the voice vote The Moderator asked for the tellers to come forward and conduct a hand count. A 2/3's vote is required Yes 195 No 236, the motion was defeated.

UNDER ARTICLE 11 The Board of Selectmen were in favor of the article. Selectman Ready explained the purpose of the article.George Nelson of the Finance Comm, moved to amend the article to include after the ($20,000.00) "to budget line item #135 "Preliminary Project Studies". The Capital Planning Committee was in favor of the motion. The Selectmen were in favor of the motion to amend. The Moderator asked for a voice vote on the motion to amend, moiton carried. He then asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Chairman of the Board of Selectman, Dennis Ready, moved that the Town vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys,architects, and other necessary consultants for the purpose of preparing and designing all documents required to design and contruct a storage facility for the Town of Chelmsford, and further I moved that the Town vote to authorize the Board of Selectmen to negotiate and execute all neccessary and proper contracts and agreements thereto,

and further I moved that the Town vote to transfer from free cash the sum of twenty thousand dollars ($20,000.00) to budget line item #135 "Preliminary Project Studies"

UNDER ARTICLE 12 Chairman of the School Committee, Carl Olsson, moved that the Town vote to authorize the School Committee to transfer, release or otherwise convey the care, custody, management, control, and all other right, title and interest if any held by the School Committee, to the Board of selectmen in a parcel of land and buildings thereon known as the Highland School and containing approximately 32,990 square feet more or less as shown on the records of the Chelmsford Board of Assessors Map 14, Lot 133 for the exclusive and specific use of family housing.

Chairman of the School Committee, Carl Olsson, spoke about the article. The Moderator asked for a voice vote, motion carried, unanimously

UNDER ARTICLE 13 Chairman of the Board of Selectmen, Dennis Ready, moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey all right, title and interest, if any, held by the Town, in a parcel of land and buildings thereon, known as the Highland School and containing approximately 32,990 square feet, more or less, as shown on the records of the Chelmsford Board of Assessors, Map 14, Lot 133, to the Chelmsford Housing Authority, for the exclusive and specific use of family housing provided that the Town constructs and/or obtains storage facilities deemed adequate by the Board of Selectmen.

The Board of Selectmen support the article. The Finance Committee recommends the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 14 Chairman of the Board of Selectmen, Dennis Ready, moved that the Town vote to authorize the Board of Selectmen for consideration to be determined, to convey all right, title and interest, if any, held by the Town in a parcel of land and buildings thereon, known as the North Town Hall, and being described in a deed dated February 1, 1853, from Benjamin Adams and Thomas J. Adams, to the inhabitants of the Town of Chelmsford, recorded in Middlesex North Registry of Deeds at Book 18, Page 33 and Middlesex South Registry of Deeds at Book 659 Pages 495; to the Chelmsford Housing Authority, for the exclusive and specific use of family housing provided that the Town constructs and/or obtains storage facilities deemed adequate by the Board of Selectmen.

The Board of Selectmen support the article. A resident from the area voiced concern about parking problems, and the number of units. Ruth Delaney, of the Housing Authority explained that two units would make up the total number, and felt that there wouldn't be any parking problem at all. More discussion took place, the Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 15 Chairman of the School Committee, Carl Olsson, moved that the Town vote to authorize the School Committee to transfer, release, or otherwise convey the care, custody, management, control, and all other right, title and interest if any in a parcel of land known as the North school, containing approximately 17.19 acres of land, more or less and being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951, recorded in the Middlesex North District Registry of Deeds, Book 1161, page 258, to the Board of Selectman subject to the condition that 33.5% (6 acres) of said parcel shall be for the exclusive and specific use of Elderly and/or Family Housing by the Chelmsford Housing Authority.

The School Committee and the Finance Committee were in favor of the motion. A discussion followed, questions were asked, and answered. The Moderator asked for a voice vote, motion carried,unanimously.

UNDER ARTICLE 16 Chairman of the Board of Selectmen, Dennis Ready, moved that the Town vote to authorize the Board of Selectmen for consideration to be determined to convey all right, title and interest, if any in two parcels of land consisting of a total of six acres, being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951, and recorded in the Middlesex North District Registry of Deeds, Book 1161, page 258 to the Chelmsford Housing Authority Five (5) acres of which shall be for the exclusive and specific use of Elderly Housing and one (1) acre of which shall be for the exclusive and specific use of Family Housing contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting.

The Board of Selectmen support the article. The Finance Committee recommend the article. George Merrill wanted to know why the elderly weren't getting all the land instead of just 6 acres, just what was the rest going to be used for. Selectman Ready showed the area on a map and explained that sixty four units of Elderly Housing, a Senior Citizen Center and parking for same, recreation fields and parks, Family housing units and the rest would be for conservation land. Ruth Delaney explained that the Selectmen controlled the land left over from what was given to the Housing Authority, and decided to divide it up as listed. A lengthy discussion took place. August Mueller moved the question to stop debate. The Moderator asked if there was any need for further debate, hearing none he asked for a voice vote on the motion Motion carried, unanimously.

UNDER ARTICLE 17 Chairman of theBoard of Selectmen,Dennis Ready, moved that the Town vote to rescind Article 20 of the Annual Town Meeting of 1982, passed at the session held on May 10, 1982.

The Finance Committee recommended the article.This was money that was to be used for designs and plans for the North School property. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 18 Chairman of the Board of Selectmen, Dennis Ready, moved that the Town vote to appropriate and transfer from the Stabilization Fund the sum of two hundred thousand dollars ($200.000.00) to design and construct a senior center on the property under the control of the Board of Selectmen at the North School, and being a portion of the prooperty taken by the Town of Chelmsford by order of taking dated January 176, 1951 and recorded in the Middlesex North District Registry of Deeds, Book 1161, page 258, said contracts to be made under the

supervision of the Board of Selectmen and contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting

The Finance Committee is in favor of the article. The Capital Planning Commission is against the article. The Moderator asked for a voice vote, moiton carried, unanimously.

UNDER ARTICLE 19 Chairman of the Board of Selectmen, Dennis Ready, moved thtat the Town vote to authorize the Board of Selectmen for consideration to be determined, to convey all right, title and interest, if any held by the Town in a parcel of land and buildings thereon, known as the Louise Bishop Senior Center, located at 15 Mill Road and containing approximately 15,760 square feet, more or less, as shown on the record of the Chelmsford Board of Assessors, Plat 140, Block 37, Lot 2; to the Chelmsford Housing Authority, contingent upon the Town completing construction of a Senior Center on the North School property and contingent upon the Town taking affirmative action on Article 15 of this Special Town Meeting.

The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 20 Dwight Hayward, member of the Finance Committee moved to amend the article by substituting the following after the word ($20,000) "to purchase a new repeater and emergency generator and to erect a pre-cast concrete communication building to house such equipment."

The Capital Planning Committee was in favor of the motion. The Moderator asked for a voice vote on the motion to amend, motion carried. He then asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Chairman of the Board of Selectmen, Dennis Ready, mvoed that the Town vote to transfer from Free Cash the sum of twenty thousand dollars ($20,000) to purchase a new repeater and emergency generator and to erect a pre-cast concrete communication building to house such equipment.

William Dalton moved to reconsider Article 10, and explained why he felt that the Article should be brought back on the floor for another vote. Philip Currier spoke in favor of reconsideration. Gordon Reed spoke against the motion. A lengthy discussion followed. Edward Marshall moved to stop debate. The Moderator asked if there was any need for further debate, hearing none he asked for a voice vote on the motion to reconsider, which left the chair in doubt, the tellers came forward and a hand count was taken. The Result-- Yes 148 No 171 motion defeated.

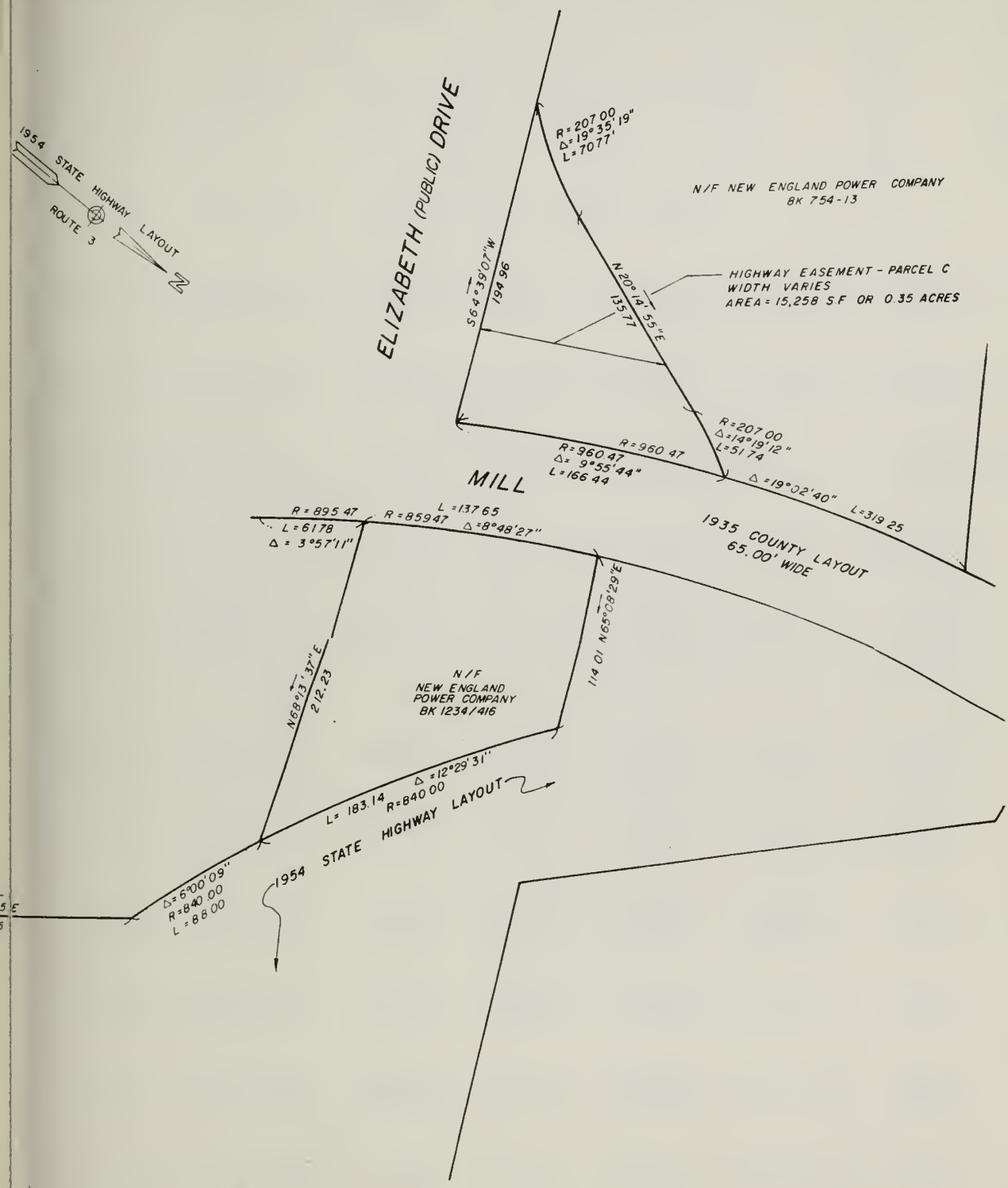
UNDER ARTICLE 21 Chairman of the Finance Committee, Elizabeth Marshall, moved that the Town vote to instruct the Board of Assessors to issue the sum of one million one hundred thousand dollars($1,100,000.00) from Free Cash in the Treasury for the reduction of the tax rate.

The Finance Committee asked for support of the article. The Moderator asked for a voice vote, motion carried, unanimously.

George Ripsom moved to adjourn the meeting. Motion carried. The meeting adjourned at 11:00 PM.

Dennis McHugh, Moderator

Mary E.St.Hilaire Town Clerk



STM 1-27-86, Art 8

*Indicates candidate for re-election	Pct1	Pct2	Pct3	Pct4	Pct5	Pct6	Pct7	Pct8	Pct9	Pct10	Pct11	Pct12	TOTAL
SELECTMAN (2) 3 Yrs													
Jeffrey W. Stallard	22	41	51	11	29	23	42	17	17	32	15	19	319
August C. Mueller	34	25	22	64	34	29	13	21	18	27	27	22	336
Dennis J. Ready*	268	156	206	103	326	218	161	174	135	231	203	225	2406
Henrick R.Johnson Jr.	259	148	206	82	249	231	184	173	112	221	219	179	2263
Donald L. Elias	161	67	149	55	181	112	68	126	100	218	120	163	1520
All Others	1	0	0	1	1	0	0	0	0	0	0	0	3
Blanks	103	53	82	44	96	85	68	75	62	123	84	84	959
TOTAL	848	490	716	360	916	698	536	586	444	852	668	692	7806
ASSESSOR 3 Yr													
Ruth K. Delaney*	334	191	289	145	353	280	216	220	165	297	269	266	3025
Blanks	90	54	69	35	105	69	52	73	57	129	65	80	878
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903
CEMETERY COMMISSIONER 3 Yr													
Gerald L. Hardy*	324	188	283	141	356	275	210	220	158	283	273	263	2974
Blanks	100	57	75	39	102	74	58	73	64	143	61	83	929
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903
HOUSING AUTHORITY 5 Yr													
William P. Keohane*	308	190	278	138	338	274	211	209	154	271	256	243	2870
Blanks	116	55	80	42	120	75	57	84	68	155	78	103	1033
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903
BOARD OF HEALTH 3 Yr													
Mark W. Gauthier	193	99	146	77	198	145	109	121	112	195	138	120	1653
Paul J. Canniff*	209	124	184	84	220	180	135	156	100	190	163	203	1948
Blanks	22	22	28	19	40	24	24	16	10	41	33	23	302
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903
PARK COMMISSIONER 3 Yr													
Eileen M. Duffy*	321	182	291	138	348	258	214	225	163	283	271	264	2958
Blanks	103	63	67	42	110	91	54	68	59	143	63	82	945
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903
CONSTABLE 3 Yr													
William E. Spence*	313	190	281	151	342	275	202	203	155	279	258	265	2914
Blanks	111	55	77	29	116	74	66	90	67	147	76	81	989
TOTAL	424	245	358	180	458	349	268	293	222	426	334	346	3903

SEWER COMMISSIONER 3 Yr													
John P. Emerson Jr.*	317	196	278	133	341	263	203	196	164	283	261	261	2896
Blanks	107	49	80	47	117	86	65	97	58	143	73	85	1007
TOTAL	424	245	358	180	458	349	268	293	222	426	334	246	3903
TRUSTEE OF PUBLIC LIBRARY (2) 3 Yrs													
Janet B. Hendl*	260	151	246	103	292	244	177	176	113	240	208	226	2436
Brenda M. McDermott*	298	164	263	121	321	250	190	203	137	265	233	247	2692
Blanks	290	175	207	136	303	204	169	207	194	347	227	219	2678
TOTAL	848	490	716	360	916	698	536	586	444	852	668	692	7806
SCHOOL COMMITTEE (2) 3 Yrs													
James Brough*	254	148	227	102	279	215	157	169	122	232	195	211	2311
Carl A. Olsson*	303	177	263	123	325	280	196	209	151	273	255	257	2812
Blanks	291	165	226	135	312	203	183	208	171	347	218	224	2683
TOTAL	848	490	716	360	916	698	536	586	444	852	668	692	7806
PLANNING BOARD (2) 3 Yrs													
Ann H. McCarthy*	211	133	188	69	225	178	142	166	95	189	160	188	1944
Jacob P. Sartz III	73	22	52	91	87	57	24	48	53	90	33	76	706
Peter E. Bagni	93	71	57	28	80	126	84	58	27	85	135	66	910
Jonathan C. Stubbs	28	32	65	12	46	20	31	24	21	36	26	25	366
George Kalogeropoulos	75	28	76	31	126	55	38	43	39	96	41	85	733
John F. McCarthy*	230	136	172	75	212	172	129	153	127	191	165	155	1917
Blanks	138	68	106	54	140	90	88	94	82	165	108	97	1230
TOTAL	848	490	716	360	916	698	536	586	444	852	668	692	7806

WARRANT FOR THE ANNUAL TOWN MEETING
APRIL 5, 1986 AND APRIL 28, 1986

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, Viz:

Precinct 1.	The New Town Office Building Gymnasium
Precinct 2.	North Congregational Church Hall
Precinct 3.	Parker School Band Room
Precinct 4.	East Chelmsford School
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westland School Cafeteria
Precinct 7.	North Congregational Church Hall
Precinct 8.	McCarthy Junior High School, Small Gymnasium
Precinct 9.	South Row School Auditorium
Precinct 10.	South Row School Auditorium
Precinct 11.	Westlands School Cafeteria
Precinct 12.	McCarthy Junior High School, Small Gymnasium

On Saturday, the fifth (5th) day of April, 1986, being the first Saturday in said month, at 8:00 A.M., for the following purposes:

To bring in their vote for the following officers:

Two Selectmen for three years
One Member of the Board of Assessors for three years
One Cemetery Commissioner for three years
One Member of Housing Authority for five years
One Member of Board of Health for three years
One Park Commissioner for three years
One Constable for three years
One Sewer Commissioner for three years
Two Members of Public Library Trustees for three years
Two Members of School Committee for three years
Two Planning Board Members for three years

The poles will be open from 8:00 A.M. to 6:00 P.M.; and to meet in the McCarthy Junior High School Gymnasium on Monday, the twenty-eight (28th) day of April, 1986, at 7:30 P.M. o'clock in the evening, then and there to act upon the following Articles, Viz:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to amend the Personnel Wage and Salary By-Law to be effective July 1, 1986, as follows:

1. Under Section 3, subtitled Personnel Board, delete the entire Section and substitute the following in its place.

The Plan shall be administered by a Personnel Director. The Personnel Director shall be hired by and report directly to the Executive Secretary. The duties of said Personnel Director shall, under the administrative directions of the Executive Secretary, include, but not be limited to:

(1) developing, administering, and managing, with full accountability, all the Town's personnel functions and activities, including, but not limited to, recruitment, screening applicants, orientation, development of training programs, salary, wages, benefits, counseling, unemployment compensation, labor contract administration, and collective bargaining:

(2) implementing, maintaining, and/or administrating, an Affirmative Action Program, Equal Employment Opportunity Policies and Procedures, Civil Service regulations, performance evaluation and promotion procedures as well as all personnel record retention practices:

(3) such other job related duties, functions, and responsibilities as assigned to said Personnel Director by the Executive Secretary.

(4) The Executive Secretary shall be responsible for carrying out all the duties of said Personnel Director, until said Personnel Director is hired, and during all interm periods, without any additional compensation.

All references to the "Personnel Board", or "Board" shall be deleted from all sections and subsections of the Personnel wage and salary By-Law , and replaced with the word Personnel Director.

The Personnel Director shall have, in addition to the above responsibilities, duties and functions, all responsibilities duties and functions which existed heretofor in the Personnel Board.

2. Under Section 5, subtitled Records, delete the entire Section and substitute the following in its place:

A central personnel file for all employees subject to this plan shall be established and maintained in the office of the Personnel Director. They shall contain vital statistics, record of wages or salaries and of changes in wages and salaries and such other information as may be requested by the Personnel Director.

3. Under Section 6, subtitled Classification of Town Employees, Amend Subsection "E" "Wage and Salary Schedule" by deleting the existing schedule and substituting the following:

E. Wage and Salary Schedule
July 1, 1986 - June 30, 1987

Grade Level	Salary Range		
1A	$12,065	-	$15,021
1B	$13,637	-	$16,978
1C	$15,210	-	$18,936
1D	$18,357	-	$22,854
2	$23,078	-	$28,732
3	$30,947	-	$38,529
4	$35,669	-	$44,408
5	$40,390	-	$50,286

4. Under Section 6, subtitled Classification of Town Employees, add a new Subsection (F) "Longevity Payments":

(F) Longevity payments shall be provided to each regular full time employee covered by this Plan as shown below. Longevity is added to the base pay. It shall not be used when, computing overtime, for purposes of retirement or sick leave. Longevity shall be paid semi-annually on the first pay day in December and the first pay day in June. Longevity shall be paid on a pro-rata basis.

(1) Upon completion of five years full time employment, said employee shall receive a 1 1/2 percent increment over and above their base pay.

(2) Upon completion of ten years full time employment, said employee shall receive a 3 percent increment over and above their base pay.

(3) Upon completion of fifteen years full time employment, said employee shall receive a 4 1/2 percent increment over and above their base pay.

(4) Upon completion of twenty years full time employment, said employee shall receive a 6 percent increment over and above their base pay.

5. Under Section 7, subtitled Hiring of New Employees, delete Subsection B and substitute the following in its place:

(B) No person shall be employed by the Town until such person has a medical examination by a licensed practicing physician certifying that such person is physically able to perform the duties for which he or she is to be hired. The physician shall be designated by the Personnel Director. All certifications shall become a permanent part of the person's personnel records, provided that this requirement shall not apply to persons already employed by the Town on the effective date of this Amendment, except as provided in Section 16 of the By-Law;

6. Under Section 24 subtitled "Job Titles and Standards Rates of Wages and Salaries of the Personnel Wage and Salary By-Law", by adding the following positions:

Administrative: Clerical
14. Personnel Director

Library
8. Library Assistant Director;

or act in relation thereto.

Personnel Board

ARTICLE 2A. To see if the Town will vote to amend the Personnel Wage and Salary By-Law by further amending Section 24, Job Titles and Standard Rates for Wages and Salaries of the Personnel Wage and Salary By-Law, to conform to rates of pay negotiated by the Town with certain labor organizations, pursuant to General Laws Chapter 150E, and to reflect current salaries and grade levels under the Personnel By-Law as follows:

ADMINISTRATIVE & CLERICAL	7/86 - 7/87 PROPOSED LEVEL	PROPOSED SALARY
1. Executive Secretary	4	
2. Town Accountant	3	
3. Veteran's Agent	2	
4. Town Aide	2	
5. Assistant to Assessors	1D	
6. Assistant Town Clerk	1D	
7. Assistant Treasurer	1D	
8. Clerk, Senior	1C	
9. Clerk, Junior	1A	
10. Clerk, Part-Time	1A	
11. Town Counsel		$500 P.A.
12. Board of Reg., Three Members		$360 EA.
13. Assistant Town Accountant	1D	
14. Personnel Director	3	
CONSERVATION, PARKS & CEMETERY		
1. Cemetery Superintendent	2	
2. Supt. of Inspect & Pest Control		$1,250 P.A.
3. Landscaper - Park	1A	
4. Laborer - Park	1A	
5. Unskilled Laborer	#2, #4	
6. Skilled Forest Workman - Conservation	1A	
7. Equipment Operator	1C	
8. Park Superintendent	2	
CUSTODIAL		
1. Custodian	1B	
LIBRARY		
1. Library Director	3	
2. Library Department Head	1D	
3. Library Specialist	1C	
4. Library Assistant	1B	
5. Library Clerk	1A	
6. Maintenance Assistant	1B	
7. Page	#2, #4	
8. Library Assistant Director	2	
HIGHWAY DEPARTMENT		
1. Highway Superintendent	3	
2. Highway Foreman	2	

TOWN FIRE DEPARTMENT	7/86 - 7/87 PROPOSED LEVEL	PROPOSED SALARY
1. Fire Department	#2, #5	
2. Deputy Fire Chief	#2	
3. Captain	#2	
4. Mechanic (Fire & Police)	#2	
TOWN POLICE DEPARTMENT		
1. Police Chief	5	
2. Deputy Chief	4	
3. Captain	3	
RECREATION		
1. Director/Youth Center Coordinator	2	
2. Clerk, Part-time	1A	
3. Waterfront Director	1A	
4. Swimming Instructor	1A	
5. Lifeguard	1A	
6. Playground Supervisor	1B	
7. Recreation Specialist	1A	
8. Recreation Leader	1A	
9. Youth Center Supervisor	1C	
10. Youth Center Leaders	1A	

OTHER POSITIONS	7/86 - 7/87 PROPOSED LEVEL	PROPOSED LEVEL
1. Building Inspector	3	
2. Electric Inspector	2	
3. Local Inspector	2	
4. Gas Inspector	2	$8,500 P.A.
5. Dog Officer	1C	
6. Assistant Dog Officer	1A	
7. Van Driver	1B	
8. Sealer of Weights & Measures	#2	$2,000 P.A.
9. Animal Inspector	#2	$1,000 P.A.
10. Clock Winder	#2	$ 200 P.A.
11. Town Engineer	3	

FOOTNOTES

#1 - Represented by Collective Bargaining
#2 - Not in "Job Rating Plan"
#4 - Federal Minimum Hour Wage
#5 - Salary will be 200% of the highest paid Union Firefighters established by State Law.

Or Act in relation thereto.

Personnel Board

ARTICLE 3. To see if the Town will vote to accept the provisions of Chapter 32B Section 7A as amended, "Shall the Town in addition to the payment of sixty percent of a premium for contributory group life and health insurance for employees in the service of the town and their dependents, pay a subsidiary or additional rate?"; or act in relation thereto.

Petition

Article 4. To see if the Town will vote to pay 90% or some lesser percentage of the premiums for contributory group life and health insurance for town employees; or act in relation thereto.

Petition

Article 5. To see if the Town will vote to accept the provisions of General Law Chapter 32B Section 10A authorizing any Town to provide dental benefits as part of group general or blanket insurance providing hospital, surgical, medical or other health insurance benefits for certain persons in the service of the Town and their dependents; or act in relation thereto.

Petition

ARTICLE 6. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period from July 1, 1986 to June 30, 1987; or act in relation thereto.

Town Treasurer

ARTICLE 7. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1986; in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 and 17 (a); or act in relation thereto.

Town Treasurer

ARTICLE 8. To see if the Town will vote to request the Department of Revenue, Division of Accounts of the Commonwealth of Massachusetts, to make an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Treasurer

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6; or act in relation thereto.

Finance Committee

Article 10. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds a certain sum of money with which to meet bills of previous years; or act in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money for the closure of the Swain Road landfill, said contracts to be made under the supervision of the Board of Health; or act in relation thereto.

Board of Health

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford Massachusetts, and further described and shown on a set of plans, entitled Plan of Sewer Easement in Chelmsford, Massachusetts, North Interceptor Sewer, prepared for the Chelmsford Sewer Commission, February, 1986, scale 1 inch = 40 feet, by Howe surveying, and a plan entitled "Subdivision of Land in

Chelmsford prepared for the Town of Chelmsford 1"=40' dated December 11, 1985, Prepared by William G. Troy", copies of which are on file in the office of the Town Engineer and are incorporated herewith, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen
Sewer Commissioners

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money for capital improvements throughout the Town and Capital Improvements for the School Department as recommended at Town Meeting by the Capital Planning Committee; or act in relation thereto.

Board of Selectman

ARTICLE 14. To see if the Town will vote to transfer the sum of $15,000.00 from the Sale of Graves and Lots to the Improvement and Development Fund of the Cemetery Department; or act in relation thereto.

Cemetery Commission

ARTICLE 15. To see if the Town will vote to amend to the General By-Laws, Article VII Miscellaneous, by adding the following: Section II. Discharge of subsurface material and storage of fuels, substances, etc., within 1200 feet of wells.

1. Definitions

In this By-Law, the following terms have the following meaning;

(a) Subsurface material: any substance defined as (1) a Hazardous waste by any federal or state agency; by any Federal or State regulation, or pursuant to Article X of the Town of Chelmsford General By-Laws. (2) Septic wastes, whether or not pretreated, and (3) Industrial waster, (4) and/or any other material found to be hazardous and/or dangerous to the public health, welfare and safety and/or environment, by the Board of Health.

(b) Discharge: The Discharge, deposit, injection, dumping, spilling, leaking, incineration, or placing of substance materials below any surface.

(c) Storage: The actual or intended containment of subsurface materials.

2. No subsurface material shall be discharged or stored within 1200 feet of any wells located within the Town, if said wells supply the inhabitants of the Town with water, whether through an established Water District or municipal wells.

3. No fuels or subsurface material shall be stored within 1200 feet of any wells located within the Town, if said wells supply the inhabitants of the Town with water, whether through an established Water District or Municipal Wells.

4. Enforcement.

The Board of Health or its Enforcement Officer may, according to law, enter upon any premises at any reasonable time to inspect for compliance with the provisions of this By-Law. Upon demand by the owner or person in control of the premises, however, the Board of Health or its Enforcement Officer shall obtain a warrant authorizing such entry and inspection. Information necessary to demonstrate compliance shall be submitted by the occupant of the premises at the request of the Board of Health or its Enforcement Officer. If requested, samples of subsurfaces materials and/or materials stored shall be provided to the Board of Health or its Enforcement Officer for testing. All records pertaining to said materials, disposal and removal shall be retained for no less than five years, and shall be made available for review within 48 hours of a request.

5. Violation.

Upon determination by the Board of Health of a violation of this By-Law, the Board may issue such order as it deems appropriate to remedy the violation. The order may include a compliance schedule for those activities which the Board of Health deems reasonably necessary to abate the violation.

6. The Planning Board, Board of Appeals and Building Inspector shall be prohibited from issuing any special permits variances or building permits in contravention of this By-Law and any said permits shall be deemed null and void.

7. Penalty.

Violation of this By-Law shall be punishable by a fine of $300.00 for each offense. Each day that such violation continues shall constitute a separate offense.

8. Severability.

It is hereby declared that the provisions of this By-Law are severable, and if any provisions of this By-Law shall be declared unlawful by a valid judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining provisions of this By-Law.

or act in relation thereto.

Board of Selectmen
Board of Health

Article 16. To see if the Town will vote to accept the provisions of General Law, Chapter 44 Section 53E; or act in relation thereto.

Board of Selectmen

Article 17. To see if the Town will vote to amend the General By-Laws, Article VII - Miscellaneous, by deleting Section 1. Dog Leash Law, and Section 8. Licensing of Dogs, by deleting said sections in their entirety, and substituting the following in their place.

Section I. Regulation of Dogs

1. REFERENCE TO MASSACHUSETTS GENERAL LAWS

Any reference to a "Section number" in this By-Law shall mean Chapter 140 of the Massachusetts General Laws, unless otherwise stated.

2. DEFINITIONS

Unless otherwise set out in this By-Law, any term defined in Section 136A, shall have the same meaning in this By-Law, and shall be expressly incorporated herein.

OWNER - Owner shall be intended to mean any person or persons, firm, association or corporation owning, keeping or harboring a dog owned or kept in the Town.

AT LARGE - At Large shall be intended to mean off the premises of the owner, and not under the control of the owner or authorized escort either by leash, cord, chain, or otherwise.

LICENSE PERIOD - The license period shall be from January 1 of each year to December 31 of the same year.

3. REGISTRATION AND LICENSES

(a) A person who at the commencement of a license period is, or who during any license period becomes, the owner or keeper of a dog three months old or over which is not duly licensed, and the owner or keeper of a dog three months old or over which is not duly licensed, and the owner or keeper of a dog when it becomes three months old during a license period, shall cause it to be registered, numbered, described and licensed until the end of such license period, and the owner or keeper of a dog so registered, numbered, described and licensed during any license period, in order to own or keep such dog after the beginning of the succeeding license period, shall, before the beginning thereof, cause it to be registered, numbered, described and licensed for such period. The registering, numbering, describing and licensing of a dog shall be done in the office of the Town Clerk on a form prescribed and supplied by the Town Clerk, and shall be subject to the condition expressed therein that the dog which is subject of the license shall be controlled and restrained form killing, chasing or harassing live stock or fowls.

The Town Clerk shall not grant such license for any dog unless the owner thereof provides the Town Clerk with either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of Section 145 B or has been certified exempt from such

provision as outlined in Section 137 or 137A, or a notarized letter from a veterinarian that a certificate was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

The Owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag in a form prescribed by and issued by the Town Clerk when a license is issued. Such tag shall state the following: (a) Town of Chelmsford, (b) Year of issue, and (c) tag number. If any such tag shall be lost, the owner or keeper of such dog shall forthwith secure a substitute tag from the Town Clerk at a cost of one dollar. This section shall not apply where it is otherwise provided by law, nor shall it apply to a person having a kennel license.

(b) The provisions of Section 138 and 138 A shall be expressly incorporated herewith shall henceforth apply under this By-Law.

(c) A license duly recorded shall be valid throughout the commonwealth, except that, in the case of the permanent moving of a dog into the town, the owner or keeper thereof shall, within thirty days after such moving, present the original license and tag of such dog to the Town Clerk and said Town Clerk shall take up the same and issue to said owner or keeper a transfer license, together with a tag, for such dog upon payment of one dollar. The provisions of this By-Law relative to the form and furnishing of licenses and tags shall apply to licenses and tags issued under this paragraph.

4. KENNEL LICENSE

(a) Any person maintaining a kennel shall have a kennel licence.

(b) Any person who meets any requirement of the Town of Chelmsford By-Laws, and Section 137A, may obtain a Kennel License from the Town Clerk on a form prescribed and supplied by the Town Clerk and for a fee as set out in Section 5 of this By-Law. The Town Clerk shall upon application issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

(c) The provisions of Section 138 and 138 A shall be expressly incorporated herewith shall henceforth apply under this By-Law.

(d) The Chief of police or dog officer may at any time inspect or cause to be inspected any kennel and if, in their or his judgement, the same is not being maintained in a sanitary and humane manner, or if records are not properly kept as required by law, shall file with the selectmen a petition setting forth the facts, and the selectmen shall upon this petition, or upon a petition of twenty-five citizens, setting forth that they are aggrieved, or annoyed to an unreasonable extent, by one or more dogs at a kennel maintained in town, because of excessive barking or vicious disposition of said dogs or other conditions connected with such kennel constituting a public nuisance, said selectman, within seven days after the filing of such petition, shall give notice to all parties in interest of a public hearing to be held within fourteen days after the date of such notice. Within seven days after such public hearing said selectmen shall make an order either revoking or suspending such kennel license or otherwise regulating said kennel, or dismissing said petition. Within ten days after such order the holder of such license may bring a petition in the district court as outlined in Section 137C. Any person maintaining a kennel after the license therefor has been so revoked, or while such license is so suspended, shall be punished as set forth in section 18 of this By-Law. The selectmen may in the case of any suspension, reinstate such license.

(e) The provisions of Section 138 and 138 A shall be expressly incorporated herewith shall henceforth apply under this By-Law.

5. LICENSE FEES

The fee for every dog licensed shall be as follows:

Four Dollars ($4.00)	or every neutered male dog.
Four Dollars ($4.00)	for every spayed female dog.
Seven Dollars ($7.00)	for every male and female dog.

Determination of licensing eligibility, dogs not required to be licensed, or refunding license fees, shall be determined as set out in Section 139.

The fee for every kennel license shall be as follows:

Ten Dollars ($10.00)	for every kennel license for 4 dogs or less
Twenty-five Dollars ($25.00)	for every kennel license for over 4 but not over 10 dogs.
Fifty Dollars ($50.00)	for every kennel license for over 10 dogs.

All the fees shall be increased by Five Dollars ($5.00) on the first day of the second month following the required licensing period, as outlined in section 3 (a) of this By-Law, and by an additional Five Dollars ($5.00) on the first day of each succeeding month.

6. DOG OFFICER

The Board of Selectmen shall annually appoint a dog officer and as many assistant dog officers as said board determines necessary to enforce this By-Law and, said individual (s) shall enforce this By-Law and perform such other duties as the selectmen may determine. The selectmen shall determine hours and conditions of work for the dog officers. Compensation for persons appointed under this By-Law shall be consistent with other By-Laws dealing with salaries of appointed officials.

The provisions of Section 151 and 151A regarding killing and or transfer of and dogs shall apply and are expressly incorporated in this By-Law. No dog officer shall be a licensed animal dealer registered with the United States Department of Agriculture, and no dog officer, either privately or in the course of carrying out his official assignments as an agent for this town, or shall any other agent of the town, give, sell, or turn over any animal which may come into his custody to any business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture Whoever violates the provisions of this paragraph shall be punished as provided in Section 151.

7. LEASH LAW

No owner or keeper of any dog shall permit such dog to run at large at anytime. The provisions of this section shall not be intended to apply to dogs participating in any dog show, nor to "seeing-eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place, nor to any dogs properly trained and under control of and aiding the deaf, nor to any dogs being trained or actually being used for hunting purposes.

Nothing contained in the foregoing paragraph shall prevent the Selectmen from passing any orders authorized by Massachusetts General Laws or by Section 167 at such times as they shall deem it necessary to safeguard the public.

Every owner or keeper of a dog shall exercise proper care and control of their dog so as to prevent said dog from becoming a public nuisance. It shall be deemed a public nuisance if any dog should trespass upon public or private property and deposit feces thereon, unless said feces are immediately removed by the owner or keeper of said dog.

8. CONFINEMENT ETC., OF DOGS

The dog officer shall seek out, catch and confine all dogs within the town that have not been licensed within 60 days of the time the dog is required to be licensed under this By-Law; and shall seek out, catch and confine any dogs within the town that are found on public property, or on private property where said dog is trespassing and the owner or person in control of such property wants the dog removed, said dogs being in violation of this requirement of this By-Law; and shall seek out, catch and confine any dog within the town when said dog was cited for a violation of any provision of this By-Law, and the owner or keeper has failed within 21 days to avail himself to Section 16 or 17 of this By-Law, or within 21 days of a determination by the court under the provisions of Article 1, Section 2 of the Town of Chelmsford General By-Laws that any sums are due, and has failed to pay said sums.

Any owner or keeper of any dog who refuses to turn over any dog to the dog officer upon demand, said seeking out, catching or confinement authorized in the paragraph above, shall be punished by a fine of One Hundred Dollars ($100). Each day that said violation continues shall constitute a separate offense.

9. DISPOSITION OF DOGS

Any dog confined by the dog officer, unless picked up by the owner, shall be kept for at least 10 days, at which time said dog may be disposed of in a manner determined by the Board of Selectmen, provided that at the end of 10 days, the dog officer may make available for adoption any male or any spayed female dog not found to be diseased. Any dog confined by the dog officer shall not be released to the owner until the owner produces evidence of a current dog license, and pays a sum of $10 per day for care of the animal, each day or part of a day counted as one day. For any dog adopted under this paragraph, a fee of $10 shall be charged, and said dog shall be licensed before adoption. Any fees in this paragraph are to be in addition to fees or fines as specified elsewhere in this By-Law and/or under Massachusetts General Laws. No dog shall be turned over or sold in any manner inconsistent with Section 151 or disposed of inconsistent with the provisions of 151A.

10. EMERGENCY TREATMENT

Any veterinarian registered under the provisions of section fifty-five or fifty-six A of chapter one hundred and twelve who provides emergency treatment of a dog or cat that is injured on any public way in Chelmsford shall receive in

lieu of payment from the county dog fund as allowed in Section 151 B, payment from the Dog Fund provided by under this By-Law. All other provisions of Section 151 B shall be incorporated herein under this By-Law.

11. DAMAGE CAUSED BY DOGS

Whoever suffers loss in a manner described in Section 161 shall inform the dog officer of such loss, who shall investigate the circumstances of said loss. In the event it is found that the damage was caused by a dog and the estimate of damages by the dog officer is less than $50, he shall submit a report to the Board of Selectmen. If the estimate is over $50, he shall have the damage appraised on oath, by three persons, one person appointed by the dog officer, one appointed by the person alleged to be damaged, and one appointed by the other two. Said appraisers shall act as outlined in Section 161 and turn in said appraisal to the Board of Selectmen who may authorize payment, or make such independent investigation as they think proper, and shall issue an order upon the Town Treasurer for any amount as they decide to be just and shall notify all interested parties of their decision. The appraisers shall receive payment from the town in a manner as is authorized in Section 161. All funds expended under this section shall come from the Dog Fund.

The Selectmen may appoint a temporary investigator in any case that the board believes in its reasonable discretion requires further investigation, and if said investigator believes that the evidence is sufficient to sustain an action against the owner or keeper of the dog, he shall recommend to the board of selectmen that said action be brought, unless the owner or keeper before action brought pays him such amount in settlement of the damages as he deems reasonable. After the recommendation of the investigator, the selectmen may order that action shall be brought in his own name or in the name of the Town of Chelmsford or both, as the selectmen, determine.

If the Selectmen determine, after notice to parties interested and a hearing, who is the owner or keeper of any dog which is found to have worried, maimed or killed any live stock or fowls, thereby causing damages for which their owner may become entitled to compensation from the dog fund under this By-Law they shall serve upon the owner or keeper of such dog a notice directing him within twenty-four hours to kill or confine the dog. A person who owns or keeps a dog, and who has received such notice and does not within twenty-four hours kill such dog or thereafter keep it on his premises or under the immediate restraint and control of some person, shall be punished as provided in Section 18 of this By-Law, and any police

officer, constable or dog officer may kill such dog if it is found outside of the enclosure of its owner or keeper and not under his immediate care.

The Board of Selectmen, or their agents thereto authorized in writing, may, after written notice to the owner or keeper, enter upon the premises of the owner or keeper, of any dog known to them to have worried or killed live stock or fowls, and then and there kill such dog, unless such owner or keeper whose premises are thus entered for the said purpose shall give a bond in the sum of two hundred dollars, with sufficient sureties, approved by the Board of Selectmen conditioned that the dog shall be restrained for twelve months next ensuing. And if the owner or keeper of the dog declares his intention to give such a bond, said Selectmen or their agents, shall allow him seven days, exclusive of Sundays and holidays, in which to procure and prepare the same and to present it to them, or to file it with the Town Clerk.

12. LIABILITY FOR DAMAGES

The owner or keeper of a dog which has done damage to live stock or fowls shall be liable in tort to the town for all damages so done in which the Town has been requested to pay as provided by General Laws Chapter 140 or by this By-Law. Such action may be brought by tne Board of Selectmen, or by a temporary investigator as authorized in Section 11 of this By-Law.

13. REWARDS

The provisions of Sections 162 regarding the rewards for killing a dog shall be incorporated herewith with said funds being paid from the Dog Fund.

14. ORDERING DOGS TO BE MUZZLED OR RESTRAINED

All the provisions of Section 167 shall be incorporated into this By-Law except that any dog held under the provisions of Section 167 may not be released until all the requirements of this By-Law, regarding licensing and the fee for care of the animal, are complied with. All other provisions of Section 167 shall oe incorporated herein.

15. VIOLATIONS

Any person authorized to enforce provisions of this By-Law shall in addition to any pickup of the dog pursuant to this By-Law, issue a citation to the owner or keeper of any dog violating the provisions of the Leash Law requirements of this By-Law. Any such citation shall include, in addition to the violation charged, the name and address of the owner

or keeper of the dog, the date and time and location of the alleged offense, and the amount of the penalty due. said citation shall be on a form prescribed by the furnished by the Town Clerk.

16. INFORMAL DISPOSITION PROCESS

The owner or keeper of the dog that receives a citation under this By-Law, may within 21 days, confess to the offense charged by personally or through a duly authorized agent or by mailing to the Town Clerk, said citation along with payment in the amount as authorized under the PENALTY provisions of this By-Law. Said payment shall be by postal note, money order or check. The payment to the Town Clerk shall operate as a final disposition of the case.

If such person when issued a citation desires to contest the violation through the Informal Disposition Process, he may, within 21 days of said issuance, request a hearing with the Town Clerk, or a hearing officer appointed by said clerk, and may present either in person or by counsel, any evidence he may have to refute the allegation contained in the citation. At such hearing, the clerk or hearing officer shall make a determination as to facts of the allegation, and said determination shall be final regarding the informal disposition process.

17. NON CRIMINAL DISPOSITION OF VIOLATION

If any person so notified by citation desires to contest the violation alleged in the citation notice without availing themselves to the provisions of the informal process, or desires to contest the decision of the clerk or hearing officer, he may avail himself to the procedures established in Article 1, Section 2 or the Town of Chelmsford General By-Laws. In either of the above cases, or if the owner or keeper of a dog fails to respond to the citation within 21 days, the Town Clerk shall forward a copy of the citation to the District Court where it shall be handled under the provisions of Article 1, Section 2 of the Town of Chelmsford General By-Laws.

18. PENALTY

(1) The following penalties, except where indicated herein shall be in effect for violations of the Leash Law provisions of this By-Law:

(a)	Informal Disposition Process	
	1st Offense in calendar year	$25
	2nd Offense in calendar year	$50
	3rd or Subsequent Offense in calendar year	$100

(b) Non Criminal Disposition through Article 1, Section 2, Town of Chelmsford General By-Laws.

1st Offense in calendar year	$50
2nd Offense in calendar year	$100
3rd or Subsequent Offense in calendar year	$150

(2) Violation of Section 4, (d) of this By-Law shall be $50.

(3) Penalties for violations of any other provision of this By-Law shall be $100.

(4) Each day of all said violations shall constitute a separate offense.

19. DOG FUND

There shall be a dog fund established by the town under the provisions of Chapter 44, Section 53 E of Massachusetts General Laws which shall be used to make purchases necessary to administer this By-Law and to pay any expenses relating to this By-Law or for any other costs that Massachusetts General Laws require to be paid from the county dog fund. Said fund shall be administered by the Town Accountant and may receive funds from usual municipal financing methods and from any fees or fines collected under this By-Law. The Board of Selectmen shall determine a maximum amount that shall stay in said fund, with all additional funds being turned into the General Fund.

The Board of Selectmen may determine certain salaries or expenses that may not be funded with this fund but must be appropriated through the usual municipal financing procedure, and such determination shall be binding on this administration of this fund by the Town Accountant.

20. ANTI-RABIC VACCINE AND TREATMENT

The Board of Health shall, upon application furnish free of charge to any resident who has been exposed to rabies, or may have been so exposed, anti-rabic vaccine and anti-rabic treatment, in accordance with rules and regulations which the Department of Public Health is authorized to make. Any resident shall have the right to select his own physician, who shall be paid by the Town at a rate established by the Board of Health, and the fact that a physician is a member of the Board of Health shall not disqualify him from being so selected and from being paid by the town for his services. Reimbursement for the cost of furnishing vaccine and treatment, not exceeding fifty dollars in the case of any one person, shall be made for the Dog Fund.

21. DOG LISTINGS

Persons authorized or directed by section four of chapter fifty-one or by any special law to make lists of persons three years of age or older shall make a list of all dogs owned by the inhabitants of the town at the time of making lists required under such section and return the same in duplicate to the Town Clerk on or before April first. An owner or keeper of a dog who refuses to answer or answers falsely to persons directed or authorized to make a list of the owners of dogs shall be punished by a fine of not less than ten dollars.

22. MASSACHUSETTS GENERAL LAWS INCORPORATED INTO THIS BY-LAW

The provisions of the following sections of Chapter 140 of Massachusetts General Laws shall be incorporated into and apply to this By-Law; Section 145B, 149, 155, 155A, 156, 157, 158, 159, 160, 161A, 168, 174A, 174B, AND 174D.

23. EFFECTIVE IMPLEMENTATION DATE OF THIS BY-LAW

This By-Law shall go into effect on December 31, 1986, and until said date, all areas of Massachusetts General Laws and Sections 1, and 8 Article VIII - Miscellaneous of the Town of Chelmsford General By-Laws shall remain in effect.

24. SEVERABILITY CLAUSE

If any part, section or provision of this By-Law is found to be invalid, the remainder of this By-Law shall not be affected thereby.

Or act in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to accept the provisions of General Law, Chapter 140 Section 147A authorizing the Town of Chelmsford to enact By-Laws and ordinances relative to the regulation of dogs; or act in relation thereto.

Board of Selectmen

Article 19. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate, from available funds, transfer and appropriate from the Stabilization Fund transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money for the purpose of completing Engineering Design and securing all necessary plans and specifications for implementation of Traffic Design at Summer Street and Boston Road, and further to authorize the Board of Selectmen to complete all applications and take all necessary steps to apply for Federal and State funds for the implementation of these plans and specifications; and further to authorize the Board of Selectmen to enter any and all contracts for the implementation of those plans and specifications, and for the expenditure of all Federal and State funds available to the Town for said implementation; or act in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds a certain sum of money to pay for the Town of Chelmsford portion of the shared traffic engineer, as funded by E.O.C.D. multi-community grant; or act in relation thereto.

Board of Selectmen

Article 21. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds a certain sum of money to the appropriate salary line items to fund approved wage and salary increases and expense allocations in departmental accounts to be recommended by the Board of Selectmen at the Annual Town Meeting; or act in relation thereto.

Board of Selectmen

Article 22. To see if the Town will vote to raise and appropriate or transfer from available funds, the sum of $20,000, to be placed in a special fund as authorized under the provisions of Chapter 44, Section 53C of the General Laws. Said funds to be used, along with all other monies received by the Town as compensation earned by it's employees from off-duty work details, in such manner and at

such times as shall, in the discretion of the authority authorizing such off-duty work detail, compensate the employee for such services; or act in relation thereto.

Petition

Article 23. To see if the Town will vote to authorize the Town Treasurer, to enter into compensating balance agreements, during fiscal 1987, as permitted by General Laws Chapter 41, Section 53F; or act in relation thereto.

Town Treasurer

Article 24. To see if the Town will vote to transfer and appropriate a certain sum of money from the State Aid Funds, Additional Aid to Public Libraries, to the Board of Library Trustees, for the purpose of the enrichment of the Reference collections at the libraries; or act in relation thereto.

Board of Public Library Trustees

Article 25. To see if the Town will vote to authorize the Board of Library Trustees to expend the monies collected by the Library for lost books and other materials in order to replace lost materials; or act in relation thereto.

Board of Public Library Trustees

ARTICLE 26. To see if the Town will vote to transfer and appropriate a certain sum of monies from the unexpended proceeds of the School Capital Improvement Project Bond and/or note Issue, from Article 10 of the 1985 Annual Town Meeting for the purpose of the rehabilitation of the roof at the Westlands School; or act in relation thereto.

Capital Planning Committee

Article 27. To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64G Section 3A, authorizing the Town of Chelmsford to impose a local room occupancy excise at the rate of 4%; or act in relation thereto.

Board of Selectmen

Article 28. To see if the Town will vote to amend the General By-Laws Article VI-Police Regulations, Section 19 Prohibition on Leaving Motor Vehicles in Certain Private Ways, by deleting paragraph #2 in its entirety, and substituting the following in its place:

2. It shall be unlawful to obstruct or park a motor vehicle in any fire lane, such fire lane to be designated by the Board of Selectmen and shall be posted as such. Said fire lane to be NOT LESS THAN eighteen (18) Feet Wide for all buildings in any shopping center, bowling alley, theatre, nursing home, office building, or other public building. The establishment of fire lanes as set forth above shall be at the sole discretion of the Board of Selectmen and shall run from the wall of the building or any overhang of the building or any sidewalk adjacent thereto. Any fire lane in excess of eighteen (18) feet wide shall have the approval of the property owner or person in control of such property;

   (a) The chief of the Fire Department shall notify all record owners of the designation of Fire Lanes. Or act in relation thereto.

Board of Selectman

Article 29. To see if the Town will vote to accept Hart Road, as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk; or act in relation thereto.

Board of Selectmen

Article 30. To see if the Town will vote to discontinue a portion of Russell Mill Road, as shown on a plan of land entitled, "Easement as built Plan of Land in Chelmsford, Massachusetts", prepared by Vanasse/Hangen Engineering, Inc., dated February 6, 1986, hereinafter referred to as the Plan, and to see if the Town will vote to accept the portion of Russell Mill Road, as laid out by the Board of Selectmen and shown by their reports and said plan, duly filed in the office of the Town Clerk, and to see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer, all right, title and interest, if any, held by the Town in the above parcel of the land located on the discontinued portion of Russell Mill Road, to the abutters of said property; or act in relation thereto.

Board of Selectmen

Article 31. To see if the Town will vote to authorize the Board of Selectmen to purchase or take by eminent domain, access easement over a parcel of land described below and owned by New England Power Company; and further to raise and appropriate, transfer from available funds, or borrow a sum of money for appraisal fees, engineering fees, land acquisition costs and related expenses; the said land is described as follows:

> BEGINNING AT A POINT ON THE NORTHERLY SIDE OF SAID PINE STREET AT THE SOUTHEASTERLY CORNER OF THE GRANTED PREMISES AND AT LAND NOW OR FORMERLY OF HENRY E. AND MARY T. SHERMAN; THENCE RUNNING S 83° 30' 35" W SEVENTY (70) FEET TO A POINT; THENCE N 07° 16' 10" E EIGHTY (80) FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID PARCEL; THENCE S 82° 43' 50" E NINETY-SIX AND EIGHTY ONE HUNDRETHS (96.80) FEET TO A POINT; THENCE S 31° 30' 55" W SIXTY-NINE AND NINETY-ONE HUNDREDTHS (69.91) FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND, CONTAINING 5,809 +/- SQUARE FEET OF LAND;

Said parcel of land, a portion which lies in the Town of Chelmsford and the remainder lying in the Town of Billerica, Middlesex County, Massachusetts:

Said parcel is a portion of land shown as Parcel #3 containing 3.03 acres as shown on Plan of Land for New England Power Company which plan is recorded in said Registry of Deeds in Book of Plans 119, Plan 152; or act in relation thereto.

Board of Selectmen

Article 32. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title and interest, if any, held by the Town in a certain parcel of land located at 25 4th Avenue in Chelmsford and shown as lots 62 and 63 on Assessors Map 66; or act in relation thereto.

Board of Selectmen

Article 33. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 9 Alcorn Road, and being the premises taken by the Town of

Chelmsford by an instrument of taking dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 135, containing approximately 1.3 acres of land, more or less; or act in relation thereto.

Board of Selectmen

ARTICLE 34. To see if the Town will vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from Single Residence (RB) to Multiple Residence District (RM), the following described land owned by Robert M. Hicks, Inc., Lennart W. Leedberg, Jr., Pauline R. Leedberg, Frederick Abrahamson, Gerald G. Abrahamsom, Robert M. Abrahamson, Carlene M. Dillon, Donald E. Smith, Harriet P. Smith, Dorothy M. Johnson, Whitey Morris, Gloria G. Morris, Thomas W. Sugden, Glendyse E. Sugden:

The land in Chelmsford, Middlesex County, Massachusetts, situated on the Northeasterly side of Scotty Hollow Drive, being shown on a plan entitled "Compiled Sketch Plan of Land for Robert M. Hick, Scale 1 ft. = 100 ft. dated January 5, 1985," being bounded and described as follows:

NORTHWESTERLY	by Scotty Hollow Drive and land now or formerly of Robert M. Hicks, Inc., 1,234.72 feet;
NORTHERLY	by land of the Town of Chelmsford by three courses, 151.77 feet, 206 feet and 102 feet;
SOUTHEASTERLY	By land of Town of Chelmsford 253'+;
NORTHEASTERLY	Again by land of Town of Chelmsford 39'+;
NORTHWESTERLY	Again by land of Town of Chelmsford 32'+;
NORTHEASTERLY	By land of Town of Chelmsford By 4 Courses 90"+, 41'+, 206'+, 38'+
NORTHWESTERLY	By land of the Town of Chelmsford by two courses 97.02 feet and 165 feet
NORTHERLY	Again by the land of the Town of Chelmsford by three Courses 64.02 feet+, 190.75 feet + and 123.42 feet +;
NORTHWESTERLY	Again by the land of the Town of Chelmsford, 202.62 feet +;
NORTHEASTERLY	by land of the Lowell Sportsmen Club, 302.75 feet+;

EASTERLY	by land of Toffanelli, 217 feet +, and by land of Hulick 145 feet +;
NORTHERLY	by land of Hulick 100 feet +;
EASTERLY	by land of McAllister, Richall and Thursby, 285.00 feet;
SOUTHERLY	by land of Murphy, 100 feet;
EASTERLY	by land of Murphy, 50 feet;
SOUTHERLY	by land of Grant, McLaughlin, Williams, May, and Cianci, 620 feet +;
NORTHEASTERLY	by land of Cianci, 376.57 feet +;
SOUTHEASTERLY	by land of Morris, 140 feet +;
NORTHEASTERLY	by land of Morris, 114.28 feet +;
SOUTHEASTERLY	by land of Johnson, 140 feet;
SOUTHWESTERLY	by land of Smith, 114.28 feet;
SOUTHEASTERLY	by land Smith, 120.00 feet;
NORTHEASTERLY	by land of Smith, 100 feet;
SOUTHEASTERLY	by land of Abrahamson, 100 feet;
SOUTHWESTERLY	by land of Abrahamson, 100 feet;
SOUTHEASTERLY	by land of Abrahamson and Leedberg, 200 feet;
NORTHEASTERLY	by land of Leedberg, 133.33 feet;
SOUTHEASTERLY	by land of Hicks, 150 feet.

Containing, according to said plan, approximately 31.8 acres of land; or act in relation thereto.

Petition

ARTICLE 35. To see if the Town will vote to amend the Zoning By-Law and accompanying Zoning Map referred to therein to change from single residence (RB) to General Commercial District (CD), the following described parcels of land owned by Bertha Sadowski:

The land in Chelmsford, situated on the Northeasterly side of Fairview Street, bounded and described as follows:

Beginning at a stone bound at the Northwesterly corner of the premises; thence running North 55 14' 17" East by land of Harold and Dora Tucke, ninety-seven and 04/100 (97.04) feet to a stake in the ground; thence running South 29 45' 28" East still by said Tucke land sixty-six and 34/100 (66.34) feet to a stone bound in the corner; thence running North 49 12' 52" East still by said Tucke land three hundred ninety-nine and 26/100 (399.26) feet to a stone bound at land of the County of Middlesex; thence running South 31 29' 46" East still by said land of the County of Middlesex one hundred twenty (120) feet to a concrete bound; thence running South 49 17' 12" West by other land now or formerly of Fallon, five hundred fifteen and 90/100 (515.90) feet to a concrete bound at said Fairview Street; thence running North 25 39' 25" West by Fairview Street two hundred (200) feet to the point of beginning.

Containing one and 55/100 (1.55) acres and being shown on a plan entitled "Plan of Land in Chelmsford belonging to Gertrude M. Fallon, surveyed 3 December, 1962, Richard L. McGlinchey", which plan is recorded in Middlesex North District Registry of Deeds in Plan Book 98, Plan No. 28B.

Meaning and intending to describe all the property conveyed to Joseph Sadowski and Bertha E. Sadowski by deed recorded in Middlesex North District Registry of Deeds in Book 1593, Page 318.

Also the land situated on the Northeasterly side of Fairview Street and the Northeasterly side of North Road, bounded and described as follows:

Beginning at a concrete bound in the ground at the Northwesterly corner of the granted premises at the Southwesterly corner of the other premises of Sadowski, being shown on a plan of land entitled "Plan of Land in Chelmsford, Mass. belonging to Gertrude M. Fallon, surveyed 3 December, 1962, Richard L. McGlinchey, Registered Surveyor", which plan is recorded witn Middlesex North District Registry of Deeds in Plan Book 98, Plan No. 28B; thence running Southeasterly by Fairview Street sixty-one and 60/100 (61.60) feet to a Massachusetts highway bound; thence running Southerly still by Fairview Street, one hundred forty and 79/100 (140.79) feet to a Massachusetts highway bound at the intersection of Fairview Street and North Road; thence running Southeasterly by North Road, one hundred sixty-eight 79/100 (168.79) feet to a stone bound at the Northwesterly corner of premises of Elmer G. Crowell and Pauline G. Crowell, being shown on a plan of land entitled "Plan of Land in Chelmsford, Mass. belonging to

Gertrude M. Fallon, surveyed 13 May, 1961, Richard L. McGlinchey, Registered Surveyor", which plan is recorded with said Registry of Deeds, Book of Plans 94, Plan 135B; thence running North 57°02' 50" East by said Crowell land, two hundred eighteen and 72/100 (218.72) feet to an iron pipe in the ground; thence running South 42°24' 08" East still by said Crowell land, two hundred (200) feet to an iron pipe at ditch and land of the County of Middlesex; thence running Northeasterly by said land of the County of Middlesex by two courses two hundred ninety-seven and 03/100 (297.03) feet to a stone bound in the corner of the wall at other land of the County of Middlesex; thence running Northwesterly by other land of the County of Middlesex six hundred ten and 85/100 (610.85) feet to a concrete bound at said other land of the grantees; thence running Southwesterly by said other land of the grantees, five hundred fifteen and 90/100 (515.90) feet to the point of beginning.

Containing five and 8/10 (5.8) acres, more or less.

Meaning and intending to describe all of the property conveyed to Joseph Sadowski and Bertha E. Sadowski by deed recorded in Middlesex North District Registry of Deeds in Book 1693, Page 129; or act in relation thereto.

Petition

ARTICLE 36. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple, by purchase, by eminent domain or otherwise, the property with the buildings and trees thereon beginning at the most northwesterly corner of the parcel at the intersection of the lot line and the Lowell-Chelmsford boundary line, running along said lot line south 13° 46' 36" west two hundred eight and 35/100 (208.35') feet:

Thence south 88° 55' 09" east one hundred fifty and 63/100 (150.63') feet;

Thence south 20° 58'00" west seven hundred seventeen and 78/100 (717.78') feet;

Thence south 89° 14' 00" west twenty and 04/100 (20.04') feet;

Thence south 36° 27' 11" east six hundred thirty-one and 55/100 (631.55') feet;

Thence south 21° 01' 25" east eighty-nine and 22/100 (89.22) feet;

Thence easterly along the boundary of U.S. Route 3 on a curved line having a radius of 4,750 feet and a length of 1,198.44 feet thence north 84° 04' 50" east 122.82 feet to the intersection with the westerly boundary of Steadman Street;

Thence north along the westerly boundary of Steadman Street on a curved line having a radius of 371.70 feet and a length of 132.41 feet thence north 06° 49' 50" west a distance of 490.88 feet to a point thence still along said road north 10° 37' 52" west 37.26 feet to the Lowell-Chelmsford boundary;

Thence north 62° 10' 58" west one thousand eight hundred eighty-one and 77/100 (1,881.77) feet to the point of beginning, containing approximately 38.00 acres, and further shown as a Parcel of land on a certain plan on file with the Town Clerk and the Town Engineer, entitled Plan of Land in Chelmsford, Massachusetts, Scale 1" = 40', February 22, 1986, by Howe Surveying Associates, for the purpose of securing adequate municipal trash disposal, and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Article 37. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money for the purpose of completing Architectual Design and securing all necessary plans and specification for the construction and/or reconstruction of the front portion of the firestation located on North Road, and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money to perform all construction and/or

reconstruction in conformity with said plans all said contracts to be made under the supervision of the Chief of the Fire Department; or act in relation thereto.

Fire Department

Article 38. To see if the Town will vote to amend the General By-Laws Article II- Town meeting, by deleting Section 5 Finance Committee, in its entirety and substituting the following in its place.

Section 5 Finance Committee

1. The Finance Committee in the Town of Chelmsford shall be composed of seven members to be elected at the Annual Town Election.

2. The election of said members shall be as follows:

(a) All current member shall continue to serve until June 30, 1987, at which time all said positions shall be abolished.

(b) All positions shall be elected in the Town of Chelmsford 1987 Annual Town election to take office on July 1, 1987:

(c) The initial positions on said Committee shall be elected as follows:

(1) Two positions for a period of three (3) years each;

(2) Three positions for a period of two (2) years each;

(3) Two position for a period of one (1) year each.

(d) Each of the positions shall be subject to election at the end of the above terms as stated in subsection (C); and, thereafter each position shall have a term of three (3) years.

(e) The moderator shall have the power to make interm appointments to said Finance Committee when an elected and/or appointment becomes vacant. Said interm appointment shall serve until the next Annual Town election, at which point, the position for the balance of the term of said position shall be subject to election.

3. Copies of the Finance Committee report, including the Warrant for each Annual Town Meeting shall be made available by the Finance Committee to registered voters of record not less than two weeks prior to the meeting; or act in relation thereto.

Petition

Article 39. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 283 Riverneck Road and being the premises taken by the Town of Chelmsford by an instrument of taking, dated July 29, 1977 and recorded in the Middlesex North District Registry of Deeds in Book 2260, Page 274, containing approximately 24,675 square feet of land, more or less; or act in relation thereto.

Board of Selectmen

ARTICLE 40. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interests, if any, held by the Town, in a certain parcel of land on Wightman Street, shown as Lot 14, Blk 10 on Assessors' Plat 19 and being the premises taken by the Town of Chelmsford by an instrument of taking, dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 152, containing approximately 5,000 square feet, more or less, of land; or act in relation thereto.

Board of Selectmen

Article 41. To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

Finance Committee

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting. Given unto our hands this 24th day of March, A.D. 1986.

Dennis J. Ready, Chairman

John P. Emerson, Jr.
Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren, Member

Paul C. Hart, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 26, 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafetorium; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; Soutn Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence.
William E. Spence, Constable of Chelmsford

WARRANT FOR SPECIAL TOWN MEETING

MAY 12, 1986

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth, aforesaid, you are hereby requested top notify and warn the legal voters of said Chelmsford to meet in the McCarthy Junior High School Gymnasium on Monday evening, the twelvth (12) day of May, 1986, at 8:00 o'clock P.M., then and there to act upon the following Articles, Viz:

ARTICLE 1. To see if the Town will vote to authorize the Conservation Commission to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing all documentation required for the acquisition, by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford Massachusetts, and further described and shown on a plan entitled, "Compiled Plan of land in the Town of Chelmsford" prepared by James E. Pearson, P.E., Chelmsford Town Engineer, April 23, 1986. Scale 1" = 100, a copy of which is on file in the office of the Town Engineer and is incorporated herewith, with all said contracts to be made under the supervision of the Board of Selectmen, and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate for the Stabilization Fund, transfer and appropriate from the Conservation Fund, Transfer and appropriate revenue sharing funds, borrow, and / or authorize the Selectmen to expend from the Conservation Trust Fund, a certain sum of money to defray all necessary costs, fees, and expenses; or act in relation thereto.

Conservation Commission

ARTICLE 2. To see if the Town will vote to authorize the Board of Selectmen, to acquire in fee simple, by purchase, by eminent domain, or otherwise, the property located in the Town of Chelmsford and further described and shown on a plan entitled, "Compiled Plan of land in the Town of Chelmsford " prepared by, April 23, 1986, scale 1" = 100' by James E. Pearson. P.E. Chelmsford Town Engineer, copy of which is on file in the office of the Town Engineer and is incorporated herewith, for the purpose of maintaining conservation and open space, land within the Town of Chelmsford with said land being held, managed and controlled by the Conservation Commission for the promotion and development of the land for the above purposes, and further, to see if the Town will vote to authorize the Conservation Commission to enter into a contractual self-help agreement with the office of Environmental Affairs, to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking, and further, to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from the

Conservation Fund, transfer and appropriate revenue sharing funds, borrow, and / or authorize the Selectmen to expend from the Conservation Trust Fund, a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awaroed as the result of any such taking; or act in relation thereto.

Conservation Commission

ARTICLE 3. To see if the Town will vote to amend the Zoning By-Law of the Town of Chelmsford as follows:

1. Amend Article I - Administration and Procedure, Section 1200 Administration, by adding the following subsection 1250:

1250. Application Procedure: Special Permits or Variances

An application to the Board of Appeals or Planning Board for a special permit or variance may be made by any person desiring such action by filing with the appropriate Board the prescribed application which shall describe the request and contain such information as may be required by this By-Law and accompanied at the time of filing by a plot plan drawn to scale showing the location of all lot and street lines, existing and proposed structures, utilities, wells, sewage disposal systems of the property which is the subject of the appeal or application. All applications shall be accompanied by a plat map showing lot and street lines and approximate location of structures on premises adjacent to the property which is the subject of the application.

2. Amend Article I - Administration and procedure, Section 1300 Board of Appeals, by deleting subsection 1322, in its entirely, and substituting the following in its place:

1322. To hear and decide appeals or petitions for variances from the terms of this By-Law with respect to particular land or structures. Such variance shall be granted only in cases where the Board of Appeals finds all of the following:

(a) A literal enforcement of the provisions of this By-Law would involve a substantial hardship to the petitioner or appellant.

(b) The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not effecting generally the zoning district in which it is located.

(c) Desiraole relief may be granted without either:

(1) substantial detriment to the public good;
or
(2) nullifying or suostantially derogating from the intent or purpose of this By-Law.

(d) The Board shall determine the conformance of any application for a variance with the Master Plan and shall consider the effect of the variance on the future development of the Town.

(e) Under no circumstances shall the Board grant a variance to allow a use not permitted under the terms of this ordinance in the district involved.

3. Amend Article I - Administration and Procedure, by deleting subparagraph (b) of subsection 1424. Application for Special Permit and Site Plan, in its entirety and substituting the following subparagraph (b) in its place:

(b) The contents of the site plan are as follows:

(1) Four separate plans prepared at a scale of one inch equals 20 feet or such other scale as may be approved by the Planning Board. The four plans are as follows:

(a) Site layout which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, landscaping, screening, fences, walls, walks, outdoor lighting, and loading facilities.

(b) Topography and Drainage Plan which shall contain the existing and proposed final topography at two foot intervals and plans for handling stormwater drainage.

(c) Utility and Landscaping Plan which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and fire fighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including flood plain areas.

(d) Architectural Plan which shall include the ground floor plan and architectural elevations of all proposed buildings.

(2) A landscaping plan at the same scale as the site plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including planting areas with size and type of stock for each shrub or tree.

(3) An Isometric line drawing (projection) at the same scale as the site plan, showing the entire project and its relation to existing areas, building and roads for a distance of feet from the project boundaries.

(4) A locus plan at a scale of one inch equals 100 feet (1" equals 100'), showing the entire project and its relation to existing the entire project and its relation to existing areas, buildings and roads for a distance of 1,000 feet from the project boundaries or such other distance as may be approved or required by the Planning Board.

4. Amend Article I - Administration and Procedure, subsection 1424. Application for Special Permit and Site Plan, by adding the following subparagraph (i):

(i) Topography shall be prepared by using actual elevations of the Town of Chelmsford's Topographic Maps, 1976.

5. Amendment Article I - Administration and Procedure, Section 1420 Site Plan Review, by adding the following subsection:

1428. Any easement, covenant or agreement that is required as a result of the site plan review shall be recorded in the Registry of Deeds.

6. Amend Article II - District Regulations, by deleting Section 2100. Establishment of Districts, in its entirety, and substituting the following in its place.

2100. Establishment of Districts
For the purpose of this By-Law, the Town of Chelmsford is hereby divided into the following types of districts:

RA - Residential A District These are single family residence districts which are adjacent to well sites or are environmentally sensitive because of the water table and wetlands. These areas are not slated for sewers anytime in the near future and need to be protected. These areas should not be intensively developed.

RB - Residential B District These are low density single family residential areas in which some utilities are lacking. These areas comprise a major type of residential development in the Town.

RC - Residential C District These are medium density general residence districts which serve as transition zones within the Town.

RM - Residential Multi-Family District These are high density residential districts.

CA - Neighborhood Commercial District Theses are commercial districts for neighborhood areas.

CB - Roadside Commercial District These are general commercial districts which are high traffic generators. Included are such uses as automotive repair, open lot sales, wholesale business, storage and so on.

CC - Shopping Center District These are commercial districts designed to allow the clustering of stores, offices and so on around a central parking area. These are high traffic generators usually located on major roads.

CD - General Commercial District These are primarily retail commercial offices, restaurants and entertainment commercial uses excluding repair, open lot sales, wholesale and storage uses. These uses are usually located along existing major traffic throughfares.

CX - Adult Entertainment Districts These are commercial districts created for adult entertainment establishments and other permitted uses as defined by this By-Law.

IA - Limited Industrial District These are areas that are primarily used for research development, manufacturing and warehousing with the necessary office space.

IS - Special Industrial District These districts are open to all industrial uses but are suited for heavy industrial and storage.

P - Public District These are lands owned or leased by federal, state or municipal governments for governmental purposes.

OS - Open Space District These are privately owned lands dedicated to recreational uses.

RMH - Residential Mobile Home District These are districts created in accordance with the provisions of this ordinance.

7. Amend Articles II - District Regulations, Section 2100. Establishment of District, by adding the following subsections 2110. Official Zoning Map, and, 2120. Rules for Interpretation of Zoning District Boundaries:

2110. Official Zoning Map. The Town is hereby divided into Zoning "Districts also referred to as Zones as shown on the Official Zoning Map, which together with all explanatory material, thereon, is hereby adopted by reference and declared to be part of this By-law. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Selectmen, and attested by the Town Clerk bearing the Seal of the Town. The Official Zoning Map is included as originally dated May, 1963 and as most recently amended.

2120. Rules for Interpretation of Zoning District Boundaries. Where uncertainties exist as to the boundaries of districts as shown on the official zoning maps the following shall apply:

(a) where the boundary lines as shown upon said map as approximately following the street lines of public and private ways or railways, the centerlines of such ways shall be the boundary lines.

(b) where the boundary lines are shown approximately on the location of property lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.

(c) boundary lines located outside of street lines and shown approximately parallel thereto shall be regarded as parallel to such street lines, and dimensions shown in figures places upon said map between such boundary lines and street lines are the distance in feet of such boundary lines from such street lines; such distances being measured at right angles to such street lines unless otherwise indicated.

(d) in all cases which are not covered by other provisions of this section, the location of boundary lines shall be determined by the distance in feet, in given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of the map.

(e) where the district boundary lines follows a stream, lake or other body of water, said boundary line shall be constructed to be at the thread or channel of the stream; or at the limit of the jurisdiction of the Town of Chelmsford, unless otherwise indicated.

(f) where a district boundary line divides any lot existing at the time such line is adopted, the regulations of any district in which the lot has frontage on a street may be extended by special permit from the Board of Appeals not more than thirty feet into the otner district.

(g) where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances not covered by the above subsections, the Board of Appeals shall interpret the district boundaries.

8. Amend II - District Regulations, by deleting Section 2300 Use Regulations Schedule, in its entirety, and substituting the following in its place:
See Attachment

9. Amend Article II - District Regulations, Section 2400. Nonconforming Uses. by deleting subsection 2440. Restoration, in its entirety, and substituting the following in its place.

2300 USE REGULATIONS

	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Recreational Uses														
Club or Lodge	O	BA	BA	BA	O	P	BA	P	O	O	O	O	BA	P
Riding Academy or Public Stables	O	BA	O	O	O	BA	O	O	O	O	BA	O	BA	BA
Boathouse, Private	P	P	P	PB	P	P	P	P	P	P	P	O	O	P
Boathouse, Public	O	O	O	P	O	O	O	O	O	O	O	O	O	P
Golf Course	BA	BA	BA	BA	BA	BA	BA	BA	O	O	BA	O	O	BA
Campground	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Residential Uses														
Single-family Dwelling	P	P	P	P	O	O	O	O	O	O	O	O	O	O
Two-Family Dwelling	O	O	P	P	O	O	O	O	O	O	O	O	O	O
Multi-Family Dwelling	O	O	O	PB	O	O	O	O	O	O	O	O	O	O
Conversion of Dwellings (see Sec. 2560)	O	BA	P	BA	O	O	O	O	O	O	O	O	O	O
Boarding House	O	O	P	O	O	P	O	P	O	O	O	O	O	O
Mobile Home	O	O	O	O	O	O	O	O	O	O	P(6)	O	O	O
Cluster Development	PB	PB	O	O	O	O	O	O	O	O	O	O	O	O
Rural Uses														
Farm, 5 acres or more	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Farm, under 5 acres(3)	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Wood Operation	O	P	O	O	O	O	O	O	P	P	P	O	O	O
Other Principal Uses														
Airport	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Accessory Uses See Sec. 4500 for Major Business Complexes														
Family Day Care Home	P	P	P	O	O	O	O	O	O	O	P	O	O	O
Business Daycare	O	O	O	O	O	O	O	O	BA	BA	O	O	O	O
Home Occupation (See Sec. 4110)	BA	BA	BA	BA	P	P	P	P	P	P	BA	O	O	O
Mobile Home Storage	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Roadside Stand	O	P(8)	P	P	P	P	P	P	P	P	P	O	O	O
Barn Sale, Garage Sale, Yard Sale, Flea Market (see Sec. 4130)	P	P	P	P	P	P	P	P	P	P	P	O	P	O
Scientific Uses (see Sec. 4140)	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	O	BA	O
Retail sale of goods, the majority of which are produced or undergo major processing on the premises	O	O	O	O	O	P	O	O	BA(7)	BA(7)	O	O	O	O
Adult Entertainment Establishment (see Sec. 4600)	O	O	O	O	O	O	O	O	O	O	O	BA	O	O
Temporary Structure	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Parking Garage	O	O	O	O	O	BA	BA	BA	BA	BA	O	O	O	O

	RA	RB	RC	RM		CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Business Uses See Sec. 4500 for Major Business Complexes															
Retail stores and services not elsewhere listed	O	O	O	O		P(1)	P(4)	P(4)	P(4)	O	O	O	O	O	O
Motor Vehicle Sales	O	O	O	O		O	P	O	O	O	O	O	O	O	O
Motor Vehicle Rental	O	O	O	O		O	P	O	O	O	O	O	O	O	O
Motor Vehicle General Repair	O	O	O	O		O	P(4)	O	O	O	BA	O	O	O	O
Motor Vehicle Light Service(2)	O	O	O	O		O	P(4)	BA	BA	O	O	O	O	O	O
Motor Vehicle Parts (No Services)	O	O	O	O		O	P	P	P	O	O	O	O	O	O
Motor Vehicle Body Repair	O	O	O	O		O	P(4)	O	O	O	BA	O	O	O	O
Restaurant	O	O	O	O		O	P(4)	P(4)	P(4)	O	O	O	O	O	O
Fast Food Establishment	O	O	O	O		O	BA	BA	O	O	O	O	O	O	O
Business, Professional Offices	O	O	O	O		P(1)	P	P	P	P	O	O	P	O	O
Medical Center, Clinic	O	O	O	O		O	P	P	P	P	O	O	O	O	O
Bank, Financial Agency	O	O	O	O		O	P(4)	P(4)	P(4)	O	O	O	P	O	O
Indoor Commercial Recreation	O	O	O	O		O	P(4)	P(4)	BA	O	O	O	O	BA	P
Outdoor Commercial Recreation	O	O	O	O		O	O	O	O	O	O	O	O	BA	P
Fairs, Carnivals, Similar Events (See Section 4300)	O	O	O	O		O	BA	BA	BA	BA	BA	O	O	O	BA
Animal Clinic or Hospital	O	O	O	O		O	P	P	P	P	O	O	O	O	O
Animal Kennel	O	O	O	O		O	O	O	O	BA	O	O	O	O	O
Funeral Home	O	O	O	O		O	P	O	P	O	O	O	O	O	O
Nursing or Convalescent Home	O	O	O	BA		O	BA	O	O	O	O	O	O	O	O
Adult Entertainment Establishment (See Section 4600)	O	O	O	O		O	O	O	O	O	O	O	BA	O	O
Motel or Hotel	O	O	O	O		O	P	PB	PB	O	O	O	O	O	O
Industrial Uses See Sec. 4500 for Major Business Complexes															
Earth Removal (See Sec. 4200)	O	O	O	O		O	O	O	O	BA	BA	O	O	O	O
Light Industry	O	O	O	O		O	O	O	O	P	P	O	O	O	O
Pedestrian and Vehicular Access and Egress by Private Way to and from uses permitted in an IA District	O	O	O	O		O	PB	O	O	P	O	O	O	O	O
Warehouses and Open Storage	O	O	O	O		O	O	O	O	BA	P	O	P	O	O
Junk Yard	O	O	O	O		O	O	O	O	O	O	O	O	O	O
Contractor's Yard	O	O	O	O		O	BA	O	O	O	P	O	O	O	O
Granite Operations	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Public Utility or Public Works Storage Yard or Repair Shop	O	O	O	O		O	BA	O	O	P	P	O	P	BA	O
Research, Experimental and Testing Lab	O	O	O	O		O	O	O	O	P	O	O	O	O	O
Solid Waste Disposal Facility	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Sanitary Landfill	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Refuse Incinerator	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Transport Terminal	O	O	O	O		O	O	O	O	O	P	O	O	O	O
Institutional Uses See Sec. 4500 for Major Business Complexes															
Religious Purposes	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Educational Purposes															
Exempt by Statute	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Other Nursery Schools	BA	BA	BA	BA		BA	P	O	O	O	O	BA	O	O	O
Other Schools	O	O	O	O		P	P	P	P	P	O	O	O	O	O
Cemetery	P	P	O	O		O	O	O	O	P	O	P	O	P	O
Municipal Building Except Garages, Storage or Repair Shops	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Hospital	O	BA	BA	BA	A	O	P	O	O	O	O	O	O	O	O
Other Public or Semi-Public Institution of a Historic, Philanthropic, or Charitable Character	BA	BA	BA	BA	A	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA

NOTES FOR USE REGULATIONS SCHEDULE:

1. No structure shall exceed 3,000 sq. ft. gross floor area.
2. Provided there are no structures, pumps, or fuel storage tanks within 50 feet of a residential lot or residential district.
3. Provided that there are neither hogs nor fur-bearing animals.
4. Except "BA" if resulting in more than 10,000 sq. ft. gross floor area devoted to business uses on the premises.
5. Maximum seating capacity shall be 30 and no alcoholic beverages shall be sold or consumed on the premises.
6. Intensity of use shall be limited to permit a maximum of 7 units per acre and a maximum of 254 units per RMH District.
7. Retail outlet not to exceed 1,000 sq. ft. or 10% of the G.F.A., whichever is less.
8. No roadside stands permitted in Historic District(s).

KEY:

P = A permitted use.
O = An excluded or prohibited use.
BA = A use authorized under Special Permit for exception from the Board of Appeals as provided for in Section 1500.
PB = A use authorized under a Special Permit for exception from the Planning Board as provided for in Section 1500.

2440. Restoration or Rehabilitation. No non-conforming structure, other than a single or two-family dwelling, damaged by fire, storm or other accidental causes to the extent of more than seventy-five percent of its replacement value or to the extent of being dismantled more than seventy-five percent for rehabilitation purposes shall be repaired or rehabilitated except in conformity with this By-Law, and provided further that such restoring shall be completed within two years after such catastrophe.

10. Amend Article II - District Regulations, Section 2500 Intensity of Use Regulations, by deleting subsection 2520. Lot change in its entirety and substituting the following in its place.

2520. Lot Change. No lot shall be created, nor shall an existing lot be changed in size or shape except through a public land taking or donation for road widening, drainage, utility improvements or except where otherwise permitted herein, so as to increase the degree of non-conformity that presently exists.

11. Amend Article II - District Regulations, Section 2500. Intensity of Use Regulations, by deleting subsection 2530. Isolated Lots, in its entirety and substituting the following in its place.

2530. Isolated Lots. Any increase in lot areas, width, depth, frontage, yard or coverage requirements of this By-Law shall not apply to erection, extension, alteration, or moving of a structure on a legally created lot not meeting current requirements provided that the applicant documents that,

(a) At the time such increased lot requirements became applicable to it, the lot:

(1) had at least 5,000 sq. ft. of lot area and 50 feet of frontage on a street; and

(2) was held in ownership separate from all other lots having frontage within 1,000 feet; and

(3) conformed to then existing dimensional requirements; and

(b) the lot is to be used for single-family or non-residential use.

Such non conforming lots may be changed in size or shape or their land area recombined without losing this exemption, so long as the change does not increase the actual or potential number of building lots.

12. Amend Article II - District Regulations, Section 2500. Intensity of Use Regulations, by deleting subsection 2540. Accessory Buildings., in its entirety and substituting the following in its place.

2540. Accessory Buildings. No accessory building or structure except a permitted sign or roadside stand, shall be located within a required front yard area. A detached accessory building may be located in the rear yard areas and on the same lot as a principal building, provided that not more than twenty-five percent of the required yard area shall be so occupied, and further provided that an accessory building shall not be located nearer than ten feet from the principal building and at least ten feet from any side or rear lot line. An accessory building attached to its principal building or within ten feet of it shall be considered an integral part thereof and as such shall be subject to the front, side, and rear yard requirements applicable to the principal building.

13. Amend Article II - District Regulation, Section 2500. Intensity of Use Regulations, by deleting subsection 2550. Erection of more than one principal building on a lot, in its entirety and substituting the following in its place.

2550. Erection of More Than One Principal Building on a Lot No more than one principal residential building shall be permitted on a lot except in the case of motels, hotels, mobile home parks and multi-family structures which shall be reviewed by the Planning Board in accordance with Section 1420 - (Replace)Site Plan Review. In any commercial or industrial district, more than one principal building or structure may be erected or moved onto a lot provided that area, frontage, lot coverage and yard requirements can be met as though each structure were located on an individual lot, and provided that the plans therefore are reviewed by the Planning Board in accordance with Section 1420.

14. Amend Article II - District Regulations, by deleting Section 2600. Intensity of Use Schedule in its entirety and substituting the following in its place: **See exhibit "A" attached hereto and incorporated herewith.**

15. Amend Article II - District Regulations Section 2740. District Use Regulations. by deleting subsection 2742. being the third subsection of Section 2740. District Use Regulations. in its entirety, and substituting the following in its place:

2742a. In the floodway, designated on the Chelmsford Flood Plain and Floodway District Map, the following provisions shall apply:

1. All encroachments including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.

2. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.

3. If a property owner questions the location of a Flood Plain or Floodway District, the owner may engage at his own cost a Registered Licensed Surveyor with the approval of the Town Engineer to determine if the land in question is within the Flood Plan or Floodway District. The Town may charge the landowner for all or part of the cost for this determination.

16. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, subsection 3120. Number of spaces, by deleting the first paragraph in its entirety and substituting the following in its place.

3120. Number of Spaces For the purpose of computing the parking requirements of different uses, the number of spaces required shall be the largest whole number obtained after increasing all fractions upwards to one. Employees shall include the largest number of owners, managers, full and part-time workers and volunteers that may be normally expected on the premises during any single shift or portion thereof. The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at 20 inches for each seat. Parking spaces shall be no less than 8.5 feet in width and 19 feet in length. The following minimum parking requirements shall apply to uses as listed below:

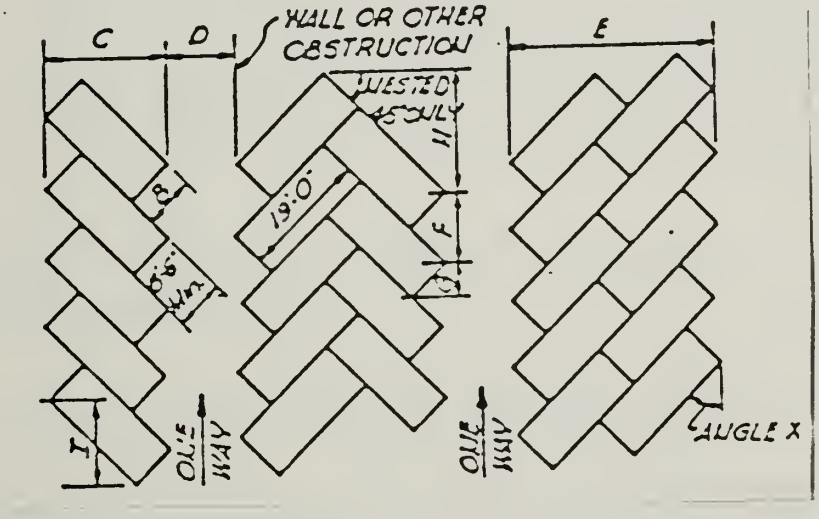
17. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, by adding the following subsection 3121. Size of Parking Area and 3122. Handicapped Parking Areas.

3121. Size of Parking Area

(a) The area of the parking lot shall be determined by the following table.

STALL AND AISLE DIMENSIONS

Angle X	B	C	D	E	F	G	H	I
30	8.5	16.9	11.0	26.4	17.0	4.3	23.8	16.5
45	8.5	19.4	13.5	32.9	12.0	6.0	19.4	13.4
60	8.5	20.7	18.5	37.2	9.8	7.4	13.8	9.5
70	8.5	20.8	19.5	38.6	9.0	8.0	9.4	6.5
80	8.5	20.2	24.0	38.9	8.6	8.4	4.8	3.3
90	8.5	19.0	27.0	38.0	8.5	8.5	0.0	0.0



STALL AND AISLE DIAGRAM

(b) If a property owner can demonstrate to the satisfaction of the Planning Board/Builder Inspector that the required number of spaces will be not be needed for the purposed use, the Planning Board may waive some of the required spaces on the condition that the area necessary for those spaces is available on the lot. If, anytime after the property is in use, the Building Inspector determines that a need exists for the additional spaces, the Building Inspector may require that these spaces be added.

3122. Handicapped Parking Areas. Article VI Police Regulations of the Town of Chelmsford General By-Laws, entitled Section 20 Prohibition on unauthorized Parking in Designated Handicapped Parking Spaces in Private or Public Ways, is incorporated herein.

18. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, by deleting subsection 3141. in its entirety, and adding the following subsection in its place.

3141. No off street parking area shall be located within 20 feet of a street right of way, or in any required yard adjacent to a residential or institutional use.

19. Amend Article III. General Regulations, Section 3100. Off Street Parking and Loading, by adding the following subsection.

3146. Parking Garages. An application for a special permit for a parking garage shall require the submission of a site plan in conformance with Section 1420. Site Plan Review. No parking garage shall exceed three stories in height (35 feet), and when taken in consideration with the principal structure, shall not exceed the lot coverage for the applicable zoning district.

20. Amend Article III - General Regulations, subsection 3351. Overspill, by adding the following subparagraph (e)

3351. (e) Exterior lighting fixtures other than signs are mounted not more than 20 feet high.

21. Amend Article III - General Regulations, Section 3400. Grading and Screening, by deleting subsection 3423., in its entirety and substituting the following in its place.

3423. Screening in this context shall mean any of the following items:

(a) an area 10 feet wide or wider when specified, densely planted and maintained with a double row of compact evergreen trees 6 feet or more in height when planted; the area between the ground and a point 6 feet above the ground shall be maintained as the trees mature to insure a dense screening;

(b) a wall 6 feet high;

(c) a fence, 6 feet high, 50 percent opaque;

(d) an earthen berm at least 42 inches in height, with a fence or vegetation to reach 6 feet in height;

(e) an equivalent visual screening by building placement, natural vegetation or difference in elevation between potential viewers and the screened areas.

Where necessary, lower elements shall be used for egress visibility.

22. Amend Article IV - Special Regulation, by deleting subsection 4160. Animals Accessory to Dwellings, and substituting the following in its place:

4160. Animals Accessory to Dwelling. Cattle, horses, sheep, hogs, goats, gamebirds, or similar livestock may be maintained accessory to a dwelling only on a lot having an area of not less than 40,000 square feet plus 15,000 square feet per large animal (25 pounds or heavier at maturity) in excess of one or per ten smaller animals in excess of the first ten. Such animals and their wastes shall be contained at least 50 feet from any abutting lot line of a residentially used lot, and at least 50 feet from any year-round surface water body.

23. Amend Article IV - Special Regulations, by deleting subsections 4542 and 4543 in their entirety and substitute the following subsections 4542. and 4543.,in their place.

4542. As part of the site plan review process, the applicant shall submit, at his cost, a report by a licensed engineer on the impact of traffic from the proposed development on the existing conditions. This report shall contain: an analysis of the present situation, the potential traffic resulting from the development, the impact of new traffic resulting from the development, the impact of new traffic on the existing road conditions and capacities. Capacity of the road (s) affected by the proposed development shall be determined by using the definitions and methods of estimation as outlined by the Highway Research Board Highway Capacity Manual, 1965 or later editions. If the study shows that there will be an increase in traffic above the present level of services at any point within one mile of the premises, the engineer shall prepare alternative techniques to maintain the same level of service.

4543. Design of storm sewers, retention basins and general site plan design shall be based on a ten-year frequency storm. Design of culverts shall be based on a twenty-five year frequency storm. Consideration shall be given to damage avoidance for a 100-year storm. There shall be no net increase of runoff above current flows, and the design capacity of receiving structures or the channel capacity of receiving streams shall not be exceeded.

24. Amend Article IV - Special Regulations by adding the following subsections, 4450. Density Bonus, and 4451:

4450. Density Bonus. For every one unit in ten set aside for low and moderate income persons and families in a multifamily housing project, the applicant may apply and the Planning Board may grant a bonus of one additional unit.

To apply the applicant shall demonstrate to the Planning Board that:

(a) The rent required for the unit set aside shall meet the affordable rents established by the Department of Housing and Urban Development for the Chelmsford area; and

(b) The unit set aside shall be made available to low and moderate income persons and families for a period of no less than ten years; and

(c) The low and moderate income level shall be as defined by the Department of Housing and Urban Development for the Chelmsford area.

4451. The applicant shall work with the Housing Authority to rent units to eligible persons and families.

25. Amend Article V - Definitions by deleting the definitions of farm, fast food restaurant, motel or hotel, outdoors commercial recreation, temporary structure, and warehouse, and open storage in their entirety, and substitute the following in their respective places.

Farm: Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, dairy products and game foul. It includes necessary farm structures within the prescribed limits of the storage of equipment used. It excludes the raising of fur bearing animals, hogs, riding academies, livery or boarding stables and dog kennels.

Fast Food Restaurant: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off premises and usually requires ordering food at a counter.

Motel or Hotel: A building or group of buildings providing accommodation for compensation on a transient basis, but not meeting the definition of "Boarding House". Accommodations individually having a stove and either or both a refrigerator and sink shall be considered dwelling units.

Outdoor Commercial Recreation: Drive-in theater, golf driving range, miniature golf, race track, amusement park, professional sports stadium, or similar commercial recreation conducted in whole or in part outdoors.

Temporary Structure: A structure without any foundation or footings to be removed within a 12 month time period. Said structure shall conform to the requirements of the Intensity Schedule of Section 2600 and shall receive a permit from the Building Inspector.

Transport Terminal: Terminal facilities for handling freight with or without maintenance facilities.

Warehouse: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

26. Amend Article V - Definitions by adding the following definitions:

Animal Clinic or Hospital: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

Boarding House: A dwelling or part thereof in which lodging is provided by the owner or operator to more than four boarders. Where four or more unrelated individuals rent a dwelling, it shall be considered a boarding house.

Business Daycare: An accessory school operated on a regular basis designed to provide daytime care or instruction of children five years of age and under. This service is limited to tne employees of the firm sponsoring it, or the employees working in the structure where the business day care is located.

Hazardous Material: Any substance which is listed in, but not limited to, the EPA Priority Pollutants as described in Section 307 (a) of the Clean Water Act, as amended.

Impervious: Any area impenetrable by surface water.

Kennel: An establishment in which more than three dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold located on at least five (5) acres of land.

Motor Vehicle Body Repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle bodies, including fenders, bumpers and similar components of motor vehicle bodies, but does not include the storage vehicles for the cannibalization of parts.

Open Lot Storage: Outdoor storage of bulk goods and products for distribution but not for sale on the premises.

Parking Garage: A structure which is accessory to a commerical or industrial establisnment and is primarily for the parking and storage of vehicles operated by the customers, visitors and employees of such an establishment.

Recharge Area: An area of geologic deposits through which water from the surface can infiltrate through the soil to the groundwater. These geologic deposits generally consist of stratified sand and gravels.

Refuse Incinerator: An engineered apparatus with grate area in excess of ten square feet used to burn waste and in which all combustion factors, temperature, retention time, turbulence and combustion can be controlled which is approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health.

Salvage Yard: Property where motor vehicles are junked dismantled or stored for later dismantling or distribution.

Sanitary Landfill: A site for solid waste disposal approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health. Disposal of raw sewage and similar waste items are not permitted.

Solid Waste Disposal Facility: Refuse transfer station, composing plant, solid waste recycling operation and any other works or use approved by the Massachusetts Department of Public Health and the Board of Health of the Town of Chelmsford for processing, handling, treating, and disposing of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items, and sludges but not raw sewage, and similar waste items.

Toxic Materials: A combination of pollutants including disease carrying agents, which after discharge and upon exposure, ingestion, inhalation, and assimilation into any organism can cause death, disease, mutations, deficiencies, or malfunctions in such organisms or their offspring;

or act in relation thereto.

Planning Board

2600. Intensity of Use Schedule (I) EXHIBIT "A"

	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	CX	P/OS
Minimum Lot Requirements												
Area (100 sq. ft) (g)	60	40	20	40(a)	20	40	100	10	40	40(b)	40	20
Width (feet)	150	150	125	150	125	150	200	50	150	150	150	125
Depth (feet)	150	150	125	150	125	0	200	0	150	150	0	125
Frontage (feet)	150	150	125	150	125	150	200	50	150	150	150	125
Minimum Yard Requirements												
Front (feet) (c)	40	40	20	40	20	60	60	20	40(f)	40(f)	60	20
Side (feet)	25	25	12	25(d)	10(e)	30(e)	30(e)	10(e)	40(f)	40(f)	30(e)	10(e)
Rear (feet)	30	30	20	30(d)	10(e)	20(e)	30(e)	10(e)	30(f)	30(f)	20	10
Maximum Building												
Coverage (percent)	10	15	20	15	15	30	30	40	40	30	30	15
Height (feet)	35	35	45	35	35	45	35	45	45	45	45	35
Minimum % of Lot Area												
Landscaped Open Space	0	0	10	10	10	10	10	10	10(h)	10(h)	10	10
Located in Front Yard	0	0	0	5	5	5	5	5	5	5	5	5

Footnotes to Intensity of Use Schedule

a. For multi-family dwellings, not less than 80,000 square feet or 6,000 square feet per dwelling unit, whichever is greater.

b. For Solid Waste Disposal Facility, Sanitary Landfill, Refuse Incinerator or Granite Operations, the minimum shall be 10 acres.

c. Corner lots shall maintain front yard requirements for each street frontage.

d. Increase by 20 feet where abutting an RA or RB District. At least 20 feet of any or all such yards abutting an RA or RB District shall be landscaped open space or natural screening subject to Section 3423 of this Bylaw.

e. Increase by 20 feet when abutting a residential district. Required side and rear yards abutting any residential district shall be landscaped open space and screened subject to Section 3423.

f. Increase to 100 feet when abutting a residential district; 20 feet of this shall be landscaped open space and screened subject to Section 3423.

g. For non-family accommodations, increase minimum lot area by 10% for each person accommodated in excess of eight.

h. Required to be located in front yards.

i. Municiple waste water pumping stations for any sewer system with the Town of Chelmsford shall not be subject to lot, yard, or coverage requirement.

ARTICLE 4. To see if the Town will vote to amend the Chelmsford Zoning By-Law by deleting the present Zoning Map and substituting the redrafted Map proposed by the Planning Board, as filed with the Town Clerk, and displayed at the Town Meeting; or act in relation thereto.

Planning Board

ARTICLE 5. To see if the Town will vote to amend the zoning by-law of the Town of Chelmsford by adding the following Section 4700 Residential Cluster Development:

4700. RESIDENTIAL CLUSTER DEVELOPMENT

4700. Intent. Residential Cluster Developments, hereinafter known as RCD, may be allowed by special permit by the Planning Board for the purpose of providing attractive, convenient, efficient neighborhoods and to promote the conservation of open space and the efficient use of land in harmony with its natural features.

4710. Minimum Size of Development. The tract of land proposed for an RCD shall contain 10 acres or shall have the minimal capacity for ten (10) dwelling units computed in accordance with this ordinance, whichever is greater. These proposals shall be permitted only within a subdivision as defined in Chapter 41 of the Massachusetts General Laws.

4711. Maximum Number of Dwelling Units in a RCD. The maximum number dwelling units in an RCD shall not exceed the number computed as follows:

A. Land unsuitable for development, as herein defined, shall first be deducted from the tract proposed for development.

B. The remaining land in the tract shall be divided by the minimum lot size for the applicable zoning district.

$$\frac{\text{Proposed tract of land - Unsuitable land}}{\text{Minimum Lot Size}} = \text{Maximum number of dwelling units}$$

C. In no case shall the number of dwelling units permitted in the RCD exceed the number of which would have been permitted in the Zoning District(s) in which the tract lies if developed in the conventional manner.

4712. Land Unsuitable for Development

A. Eighty (80) percent of the wetlands as defined in Chapter 131, Section 40A of the Massachusetts General Laws as amended.

B. Eighty (80) percent of the land located within a flood plain.

C. Eighty (80) percent of the land unable to receive septic system approval by the Board of Health.

4713. Restriction on Location of Structures. If any part of a dwelling or accessory building in an RCD is proposed to be located within 100 feet of the perimeter of such Development, such building(s) shall be located so as to comply with the minimum yard dimensions for principal and accessory buildings for the applicable zoning district.

4714. Minimum Lot Area.

A. Minimum lot area:	20,000 sq. ft.
Frontage:	50 ft.
Side Yard:	12 ft.
Front Yard:	20 ft.
Rear Yard:	20 ft.

4720. Subdivision Approval Required. No part of the construction of an RCD shall begin until the plan of such Development has been been granted final approval by the Planning Board in accordance with the Subdivision Regulations. The developer shall submit with the request for an RCD an alternate plan(s) for developing the site as a conventional subdivision at the presubmission review and preliminary plan stages of the Subdivision process which shall adhere to all subdivision requirements. The Planning Board may establish additional rules and regulations to govern the RCD and the filing of additional material or information.

4730. General Requirements

A. RCD's are permitted only in Residential Districts. The Planning Board shall not approve a cluster development in an established single family neighborhood where in their determination, such land use will be inconsistent with or will have a detrimental effect upon the surrounding property. If the Planning Board denies an RCD based on this section they shall identify this as the reason for denial.

B. The minimum frontage of the parcel for development proposals shall be at least fifty feet in all residential districts. Additional frontage may be required if more than one access road is deemed necessary by the Planning Board.

C. All streets in an RCD shall be improved in accordance with the requirements and specifications of the Subdivision Regulations. Driveways and other paved areas intended to remain in private ownership shall be approved as to design and construction standards by the Planning Board.

D. A written agreement or contract to be executed between the developer and the Town of Chelmsford shall be submitted at the final stage of the Subdivision review stating:
   1. That the owner or developer will construct the development and install improvements both public and private in accordance with the approved plan. A bond shall be posted to guarantee completion.
   2. That in the event of failure of the owners, successors, or assigns to maintain any common open space, recreation areas, landscaping features or other required improvements the Town may enter said development and perform such necessary maintenance work and charge the cost, including attorney fees to the owner, successor, or assigns.
   3 That this contract shall be binding upon the heirs, assigns, successors or receivers of the development and shall constitute a lien on the property in the development.
   4. Any other conditions required by the Planning Commission.

E. A site plan, in addition to the final Subdivision Plan, shall be recorded after the RCD is approved. As a minimum this site plan shall show the whole development indicating lots, roads, easements, open space, phases for development, any recreational uses or buildings to be constructed in the open space and any ponds, streams or wetlands. This plan shall be approved by the Planning Board before it is recorded.

4740. Open Space

A. No less than 25 percent of the total land area of an RCD, shall be open space. This land shall not include building lots, street rights-of-way, or facilities or land which is designated by Section 4712 as being unsuitable for development.

B. At least one-half of the open space (or 12.5 percent of the total land area) shall be useable for active recreation.

C. Provisions shall be made to ensure that no more than 20 percent of the open space (5 percent of the total area) shall be devoted to paved areas and structures devoted to recreational uses or uses accessory to permitted uses.

D. Use of the open space as permitted in paragraph (H) shall be subject to site plan review by the Planning Board. All structural improvements shall be a part of the final submission plans approved by the Board, or may be included by amendment at any time prior to the conveyance of the first lot. Following the conveyance of at least 75 percent of the lots; such improvements may be permitted by the Board with the written concurrence of at least two-thirds (2/3) of the homeowner association membership. No structure on the open space may be located within fifty (50') feet of residential property abutting the RCD.

E. Strips of open space shall be permitted only as usable access paths between residences, streets, other open space areas, as drainage areas, and as buffers.

F. Access areas to the open space shall be clearly marked with appropriate materials to distinguish open space area from private property.

G. Open space may be in one or more parcels, the size, location, shape and character of which must be suitable for the designated uses.

H. Open space may be used for active recreation, passive recreation, conservation, forestry, agriculture, natural buffers, open space, structures accessory to approved uses including septic systems and package sewage treatment facilities. No open space area shall be used for the disposal of stumps, stones or other fill resulting from the construction of the improvements of the RCD.

I. Land which has been environmentally damaged prior to final approval of the development by the Planning Board as a result of soil and earth removal operations, harvesting of trees or other natural features or refuse disposal or other causes shall not be accepted as common open space unless and until the land is restored to a condition which the Planning Board determines to be reasonable and appropriate to effectuate the purpose of this Article. The Planning Board may grant final approval for an RCD subject to such restoration of the common open space provided an appropriate performance bond is posted.

4750. Ownership of Common Open Space

A. The required open space shall be owned in common by all the landowners in the plat. The deed to each lot shall include a fractional interest in the common open space in an amount proportionate to the number of lots in the plat. The deed shall also include any covenants, restrictions, or easements attached to the RCD, each lot, or the common open space and any homeowners' association agreements pertaining thereto.

B. Open space shall be protected against building development and environmental damage by conveying to the Town a conservation restriction pursuant to Massachusetts General Laws, Chapter 84, Section 31-33 which shall be enforceable by the Conservation Commission.

4760. Maintenance of Open Space-Homeowners' Association

A. The applicant or developer shall provide for and establish a Homeowners' Association as a non-profit organization or other legal entity under the laws of Massachusetts for the use, care and maintenance of all such lands and improvements. Membership in the association shall be mandatory for all landowners within the RCD, and each lot shall be entitled to equal representation. The association shall be formed prior to conveyance of the first lot. The assessment of dues and/or fees for structural improvements requires the affirmative vote of no less than two-thirds (2/3) of the homeowner association membership.

B. Such organization shall be created by covenants and restrictions running with the land and shall be composed of all persons having ownership within the development. Such organizations shall be responsible for the perpetuation, maintenance and function of all common lands, uses and facilities.

C. All lands and improvements shall be described and identified as to location, size, use and control in a restrictive covenant, and such covenant shall set forth the method of assessment for the maintenance of such land. These restrictive covenants shall be written so as to run with the land. These covenants shall become part of the deed to each lot or parcel within the development.

D. Such restrictive covenant and organization shall continue in effect so as to control the availability of the facilities and land thereby provided, to maintain the land and facilities for their intended function, and to protect the development from additional and unplanned densities of use. Such organization shall not be dissolved without the prior approval of the Planning Board, nor shall such organization dispose of any common open space, by sale or otherwise, except to an organization conceived and organized to own and/or maintain the common open space and approved by the Planning Board.

E. The Homeowners' Association shall be responsible for guaranteeing that no land in common open space shall be used or disturbed in any manner inconsistent with the uses and intent of this Article.

F. In the event the Association fails to maintain any common open space, recreation area, landscaping area, or other improvements, including private roadways, drainage systems and so on, the Town of Chelmsford may enter into said development and perform the necessary maintenance work and charge the cost, including attorney fees to the association.

G. Notwithstanding any provision of the covenants establishing a Homeowners' Association, ultimate legal liability and responsibility for the use and maintenance of the common open space shall rest with the individual lot owners, and any legal notices concerning the common open space which are sent by the Town may be directed to the individual lot owners or the Homeowners' Association.

4770. Homeowner's Association

A. Before an applicant or developer can establish a non-profit organization as required in Section 4760 in addition to all other required recommendations, the following documents shall be submitted to and approved by the Planning Board:

1. The articles of association or other organizational documentation for the non-profit organization;

2. The by-laws of the non-profit organization and a list of officers and their terms of office;

3. The covenants or restrictions related to the use of common property, including the system and amounts of assessments for perpetuation and maintenance;

4. A document granting the rights of entry upon such common property to Town officials, law enforcement officers, rescue personnel and fire fighting personnel while in pursuit of their duties;

5. A time schedule for the maintenance of major facilities, including streets not accepted into the town highway system, private street signs and sidewalks, parking area improvements, buildings, pools and other common areas;

6. A copy of the Deed of Conveyance and Title of Certificate, where applicable, for all lands proposed to be conveyed to the Town or other appropriate governmental agency;

7. A plan for the transfer of control of the common open space from the developer to the Homeowners' Association;

8. A copy of any management policies or proposed management policies for the whole development or common open space.

B. Each original purchaser of a lot in the Residential Cluster Development (RCD) must be given by the developer a copy of all documents outlined in the above paragraph.

C. The Planning Board may require the developer to submit a fiscal program for a maximum of ten (10) years, including adequate reserve funds for the maintenance and care of all lands, streets, facilities, and uses under the purview of the Homeowners' organization.

D. The documents set forth above shall be reviewed and approved by the Planning Board, and such approval shall be obtained before the final plat is approved. The articles of association or other organizational documentation shall be filed with the appropriate state agency prior to obtaining final approval by the Planning Board. Such documents, once approved, shall be recorded in the Registry of Deeds.

4780. Required Certificates or Documents. In addition to the requirements of Section 4770, the following certificates or documents shall be submitted in accordance with the Subdivision Regulations.

A. Copies of any proposed management policies and existing or proposed deed restrictions or covenants running with the land in the development.

B. A description of any existing easement, covenants, or restrictions affecting land within the development and an instrument conveying any easements required as condition of approval to the Town. Such easements shall include that which is required by Section 4750, Item B.

C. The following disclosure shall be required:

1. Prior to approval by the Planning Board, the developer must file and have approval by the Planning Board a sample Purchase and Sale Agreement which shall be used for the purchase of individual lots and dwellings. Said Agreement shall include in conspicuous type the following:

that the property is part of an RCD subject to the Zoning Bylaw and the Subdivision Regulations

of the Town of Chelmsford; that the purchaser and subsequent owners of the property are subject to the requirements therein contained; that the purchaser shall be required to be a member of a Homeowners' Association, shall be subject to rules and regulations of said Association and shall be liable for any applicable assessment made by or against said Association and that the ultimate liability for the open space falls on the

D. Car washes, or coin-operated and commercial laundries, where not connected to public sewers.

E. Subsurface storage of toxic or hazardous materials, fuel oil or gasoline.

F. Solid waste disposal or sewage treatment facilities with onsite disposal of the effluent, unless tertiary treatment is used.

4832. The following uses require a Special Permit from the Planning Board within the APD:

A. Above ground storage of more than 500 gallons of toxic or hazardous materials, fuel oil or gasoline.

B. Any residential use with a lot size less than the intensity use schedule requires for that particular residential zone.

C. Any use except for residential with an estimated sewage disposal greater than 10 gallons of sewage per day per 1,000 square feet of lot area, based on Title V of the State Environmental Code, 310 CMR 15.00.

D. Any use which renders impervious more than 50 percent of the total lot area.

4840. Special Permits. Special Permits may be granted by the Planning Board, if the requirements of the APD are met and if the granting of such a permit follows the general intent of the zoning bylaw. Prior to granting a special permit, the Planning Board shall review the proposed control measures and shall determine if these control measures are adequate with respect to possible groundwater contamination if a failure occurred. If the Planning Board denies a special permit, the reason for the denial must be stated. After receiving a special permit application, the Planning Board shall distribute one copy each to the Board of Health, the Conservation Commission and the Building Inspector for their review. If a response is not received within 35 days by these agencies, the Planning Board will assume the agency approve. A special permit may be granted by the Planning Board, if, after review of the applications and comments from the Board of Health, the Conservation Commission and the Building Inspector, the Planning Board finds that the groundwater quality will not fall below state or federal drinking water standards, or if the groundwater quality is below these standards no further degradation of the groundwaters will occur.

individual lot owner. The Purchase and Sale Agreement shall further contain a statement by the seller that the purchaser ha been provided with a copy of the documents as required in Section 4770 and a prospectus which shall be a summarization in layman's language of the information contained in the other documents;

or act in relation thereto.

Planning Board

ARTICLE 6. To see if the Town will vote to amend the zoning by-law of the Town of Chelmsford by adding the following Section 4800. Aquifer Protection District.

4800 AQUIFER PROTECTION DISTRICT

4810. Purpose. The purpose of an Aquifer Protection District, hereinafter known as APD, is to protect the public drinking water supply and the public health by preventing the contamination of Chelmsford's groundwater.

4820. Aquifer Protection District. The APD is established as an overlay district to the Town's zoning map. This APD was defined by the surficial geology of the area and groundwater flow (based on a U.S Geological Survey Surficial Geology Map and the Chelmsford Facilities Plan by Weston & Sampson Engineers, Inc.). Any area in which groundwater flow is directed toward a well and the surficial geology is stratified sand and gravel deposits (soils which yield groundwater to wells) is included in the APD.

If a property owner questions the location of any boundary of an APD, the owner may engage at his own cost a professional hydrogeologist or soils engineer who must be approved by the Planning Board of the Town, to determine if the land in question is a recharge area.

4830. Use Regulations. The use schedule for all zoning districts shall apply, except as modified in this section. In all cases the more stringent provision shall apply.

4831. The following uses are prohibited within the APD:

A. The manufacture, use, storage, transport, or disposal of toxic or hazardous materials as a principal activity.

B. Solid waste disposal facility, sanitary landfill, refuse incinerator, salvage yard, junk yard, storage yard, road salt stockpile.

C. Truck/bus terminals and contractor's yards with more than 10 vehicles, service station and auto repair shops.

4841. Special Permit Application. Eleven (11) copies of the Special Permit Application shall be submitted to the Planning Board in accordance with Section 1250. In addition, the application shall include:

A. A complete list of all fuels, chemicals, pesticides, and other potentially toxic or hazardous materials which are being used or stored on the premises in quantities greater than average household use.

B. Detailed plans shall be submitted of the storage tank or pipeline being used to store or transport the toxic or hazardous materials, fuels, chemicals or pesticides. These plans should also show how the storage tank or pipeline is protected from corrosion, leaks, spills, and vandalism.

C. Evidence of qualified professional supervision of the design and installation of above and below ground storage of toxic and hazardous materials.

D. Evidence of qualified professional supervision of the design and installation for any use with an estimated sewage flow greater than 1,000 gpd (other than single family). Impacts of nitrates, chlorides, and coliforms on groundwater quality must also be addressed;

or act in relation thereto.

Planning Board

ARTICLE 7. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and / or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the property described as Parcel C on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA. prepared for the Town of Chelmsford, Scale 1"-40', March 10, 1986, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts" for the purpose of construction improvements, widening, laying out and accepting said portion of Mill Road and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 8. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and / or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the property described as Parcel 1 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA. prepared for the Town of Chelmsford, Scale 1"-40', October 29, 1984, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts" for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 9. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and / or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the property described as Parcel 8 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA. prepared for the Town of Chelmsford, Scale 1"-40', March 10, 1986, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts" for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 10. To see if the Town will vote to rescind the acceptance of the provisions of Massachusetts General Laws, Chapter 48, Section 42, or corresponding provisions of earlier laws, as accepted at the Annual Town Meeting in 1954 establishing a fire department to be under the control of officer to be known as the chief of the department, and to see is the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 48, Section 42A, establishing a fire department under the direction of the Selectmen, and further to

see if the Town will vote to authorize The Board of Selectmen to appoint a fire chief, as authorized in said Chapter 148, Section 42A, by the following procedure: Board of Selectmen shall (1) advertise that said position is available, to insure the securing of the most qualified candidates for said position, (2) require all candidates to be tested in a manner equivalent with Civil Service examinations, and (3) said Board of Selectmen shall appoint from the top three (3) candidates of said testing; or act in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to direct the Board of Selectmen to petition the Great and General Court of the Commonwealth of Massachusetts to enact special legislation establishing a land bank program for the purchase of real estate interest for conservation or preservation of open space, wetlands, water resource areas, agricultural areas, wildlife areas or for active and passive recreation areas, and for the management of these and existing areas owned by the Town, funded by a fee of up to 2% on real estate transfer, said land bank to be administered by the Conservation Commission, said bill, when approved by the legislature and signed into law by the Governor, to be approved in its final form by the voters at an annual or special town meeting in order for it to be implemented; or act in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds a certain sum of money to the appropriate salary line items to fund approved wage and salary increases and expense allocations in departmental accounts to be recommended by the Board of Selectmen at the Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 13. To see if the Town will vote to transfer and appropriate the sum of $48,924 from reimbursement funds received from the State and Federal Governments as the result of hurricane "Gloria" to the following departmental line items and Trust Fund account: or act in relation thereto:

Cemetery Department:	
12. Salaries	7,600.00
Public Buildings:	
76. Salaries	187.00
Highway Department:	
41. Expense	36,537.00
Conservation Trust Fund	4,600.00

Board of Selectmen

ARTICLE 14. To see if the Town will vote to transfer and appropriate the sum of $19,000 from free cash for the purpose of a continuing Traffic Study and Engineering Design to alleviate traffic problems on Chelmsford Street from Fletcher Street to the Chelmsford Mall; or act in relation thereto.

Board of Selectmen

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting. Given unto our hands this 23rd day of April, A.D. 1986.

John P. Emerson, Jr.
Chairman

Dennis J. Ready,
Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren, Member

Henrick R. Johnson, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. APRIL 25, 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: The New Town Office Building Gym; North Congregational Church Hall; Parker School Band Room; East Chelmsford School; Byam School Cafeteria; Westlands School Cafeteria; North Congregational Church Hall; McCarthy Junior High School, Small Gymnasium; South Row School Auditorium; South Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School, Small Gymnasium; fourteen days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

ANNUAL TOWN MEETING
April 28, 1986

The Annual Town Meeting was called to order at the McCarthy Jr. High Gmnasium at 7:40 PM, by the Moderator Dennis McHugh, who recognized the pesence of a quorum. There were 484 voters present.

The Moderator explained the Town Meeting procedure to the voters presentSelectman John P. Emerson Jr. moved that the reading of the Constable's rturn of service and the posting of the warrant be waived. It was so vted, unanimously. Selectman John P. Emerson Jr. moved that the reading c the entire warrant be waived. It was so voted, unanimously.

Elizabeth Marshall, Chairman of the Finance Committee moved to recess te Annual Town Meeting at 7:43 PM in order to conduct a Public Budget Haring of Federal Revenue Sharing Funds. Motion carried, unanimously.

Elizabeth Marshall discussed the Federal Revenus Sharing. The sum of 200,000.00 will be available for use in fiscal year 1986-1987, and will e allocated as follows: Fire Department Salaries$100,000.00, Police epartment Salaries $100,000.00. These amounts will be reflected in the epartment's budgets. The sum of $200,000.00 represents approximately 15¢ n the tax rate. The Moderator asked for any discussion or questions, hearing one, Elizabeth Marshall moved to have the Town Meeting Body accept for pproval the Federal Revenue Sharing Funds amounts as presented. Motion arried, unanimously.

The Moderator reconvened the Annual Town Meeting at 7:48 PM.

UNDER ARTICLE 1 Selectman John P. Emerson Jr. moved that the reports f Town Officers and Committees be heard.

Selectman Emerson moved to hear nominations from the floor for the arney Playground Commission. Motion Carried. Selectman Emerson moved o nominate Norbert J. McHale for a three year term. THe Moderator asked for anymore nominations from the floor, hearing none, the Moderator declared that nominations were closed. The Moderator than asked for a voice vote on Norbert J. McHale as commissioner for three years, it was so voted, unanimously.

UNDER ARTICLE 2Chairman of the Personnel Board Alan Murphy moved o amend the article by deleting the position of Personnel Director and nything within the article in reference to the position. He explained hat the Personnel Board felt that there was a need for a Personnel Director, ut different guidelines should be established,than the ones presented. The mendment reads as follows:

a) Deleting Item 1

b) Deleting Item 2

c) Deleting Item 3 and inserting the following in its place:

3. Under Section 6, subtitled Classification of Town Employees, Amend Subsection "E" "Wage and Salary Schedule" by deleting the existing schedule and substituting the following:

E. **Wage and Salary Schedule**
July 1, 1986 - June 30, 1987

Grade Level	Salary Range		
1A	$11,777	-	$14,662
1B	$13,313	-	$16,575
1C	$14,848	-	$18,486
1D	$17,920	-	$22,310
2	$22,528	-	$28,047
3	$30,210	-	$37,611
4	$34,819	-	$43,350
5	$39,429	-	$49,089

d) Deleting Item 5 and inserting the following in its place:

5. Under Section 7, subtitled Hiring of New Employees, delete Subsection B and substitute the following in its place:

(B) No person shall be employed by the Town until such person has a medical examination by a licensed practicing physician certifying that such person is physically able to perform the duties for which he or she is to be hired. The physician shall be designated by the Personnel Board. All certifications shall become a permanent part of the person's personnel records, provided that this requirement shall not apply to persons already employed by the Town on the effective date of this Amendment, except as provided in Section 16 of the By-Law;

e) Deleting Item 6 and inserting the following in its place:

6. Under Section 24 subtitled "Job Titles and Standards Rates of wages and Salaries of the Personnel Wage and Salary By-Law", by adding the following positions:

Administrative: Clerical
14. Administrative Assistant to the Executive Secretary

Library
8. Library Assistant Director

he Finance Committee was in favor of the motion. The Board of Selectmen ere not. The Moderator asked for a voice vote on the motion to amend, otion carried, unanimously.

Chairman of the Finance Committee Elizabeth Marshall moved to amend he article by deleting section 4 Subsection Part (F) "Longevity Payments" n its entirety.

Alan Murphy,Chairman of the Personnel Board spoke against the motion. e said that this would apply to only those employees who come under the ersonnel Board who are full time employees. All union employees have ongevity benefits. Some employees under the Personnel Board have longevity, his is why the Personnel Board wants to have all employees have equal benefits e estimated a possible cost of $17,000.

The Moderator asked for further discussion,hearing none, he asked for a oice vote on the motion to delete longevity, motion defeated. He then asked or a voice vote on the main motion as amended, motion carried, Article 2 s amended reads as follows:

Chairman of the Personnel Board Alan Murphy, moved that the Town vote to mend the Personnel Wages and Salary By-Law to be effective July 1, 1986, s follows:

3. Under Section 6, subtitled Classification of Town Employees, Amend Subsection "E" "Wage and Salary Schedule" by deleting the existing schedule and substituting the following:

E. Wage and Salary Schedule
July 1, 1986 - June 30, 1987

Grade Level	Salary Range		
1A	$12,065	-	$15,021
1B	$13,637	-	$16,978
1C	$15,210	-	$18,936
1D	$18,357	-	$22,854
2	$23,078	-	$28,732
3	$30,947	-	$38,529
4	$35,669	-	$44,408
5	$40,390	-	$50,286

4. Under Section 6, subtitled Classification of Town Employees, add a new Subsection (F) "Longevity Payments":

(F) Longevity payments shall be provided to each regular full time employee covered by this Plan as shown below. Longevity is added to the base pay. It shall not be used when, computing overtime, for purposes of retirement or sick leave. Longevity shall be paid semi-annually on the first pay day in December and the first pay day in June. Longevity shall be paid on a pro-rata basis.

(1) Upon completion of five years full time employment, said employee shall receive a 1 1/2 percent increment over and above their base pay.

(2) Upon completion of ten years full time employment, said employee shall receive a 3 percent increment over and above their base pay.

(3) Upon completion of fifteen years full time employment, said employee shall receive a 4 1/2 percent increment over and above their base pay.

(4) Upon completion of twenty years full time employment, said employee shall receive a 6 percent increment over and above their base pay.

5. Under Section 7, subtitled Hiring of New Employees, delete Subsection B and substitute the following in its place:

(B) No person shall be employed by the Town until such person has a medical examination by a licensed practicing physician certifying that such person is physically able to perform the duties for which he or she is to be hired. The physician shall be designated by the Personnel Board. All certifications shall become a permanent part of the person's personnel records, provided that this requirement shall not apply to persons already employed by the Town on the effective date of this Amendment, except as provided in Section 16 of the By-Law;

6. Under Section 24 subtitled "Job Titles and Standards Rates of wages and Salaries of the Personnel Wage and Salary By-Law", by adding the following positions:

Administrative: Clerical
14. Administrative Assistant to the Executive Secretary

Library
8. Library Assistant Director

UNDER ARTICLE 2A Chairman of the Personnel Board, Alan Murphy, moved to amend the article by deleting the title Personnel Director from the Administrative and Clerical subsection and inserting the title Administrative Assistant to the Executive Secretary (Proposed Level 1D). The Finance Committee and the Board of Selectmen were in favor of the motion. The Moderator asked for a voice vote, motion carried, unanimously. A discussion took place concerning the Fire Chief's Salary. If the salary is voted tonight is that the actual salary that will be paid? The Town had a Fire Chief who resigned, therefore the position is available, however, a decision must be made if the position is to remain that of "strong" chief or become that of "weak" chief, by the Board of Selectman. Norman LeBrecque moved to table Article 2A until 10:00 PM May 12, 1986. He explained that at that time a decision may be made by then concerning the position. Town Counsel James Harrington, explained that the position could be voted as it appears in the warrant book and if the Board of Selectmen establish that the position will be one of weak chief then the Board will set the salary and it will appear in the budget of the next annual town meeting. The Moderator asked for a voice vote on the motion to table the article. Motion defeated. The Moderator then asked if there was any more need for further discussion on the main motion as amended by the Personnel Board, hearing none he asked for a voice vote on the main motion, which left the chair in doubt, he asked for a show of hands, motion carried. Article 2A reads as follows:

Chairman of the Personnel Board, Alan Murphy, moved that the Town vote to amend the Personnel Wage and Salary By-Law by further amending Section 24, Job Titles and Standard Rates for Wages and Salaries of the Personnel Wage and Salary By-Law.to conform to rates of pay negotiated by the Town with certain labor organizations, pursuant to General Laws Chapter 150E, and to reflect current salaries and grade levels under the Personnel By-Law as follows:

ADMINISTRATIVE & CLERICAL	7/86 - 7/87 PROPOSED LEVEL	PROPOSED SALARY
1. Executive Secretary	4	
2. Town Accountant	3	
3. Veteran's Agent	2	
4. Town Aide	2	
5. Assistant to Assessors	1D	
6. Assistant Town Clerk	1D	
7. Assistant Treasurer	1D	
8. Clerk, Senior	1C	
9. Clerk, Junior	1A	
10. Clerk, Part-Time	1A	
11. Town Counsel		$500 P.A.
12. Board of Reg., Three Members		$360 EA.
13. Assistant Town Accountant	1D	
14. Administrative Ass't to the Executive Sec.	1D	

CONSERVATION, PARKS & CEMETERY		
1. Cemetery Superintendent	2	
2. Supt. of Insect & Pest Control		$1,250 P.A.
3. Landscaper - Park	1A	
4. Laborer - Park	1A	
5. Unskilled Laborer	#2, #4	
6. Skilled Forest Workman - Conservation	1A	
7. Equipment Operator	1C	
8. Park Superintendent	2	

CUSTODIAL		
1. Custodian	1B	

LIBRARY		
1. Library Director	3	
2. Library Department Head	1D	
3. Library Specialist	1C	
4. Library Assistant	1B	
5. Library Clerk	1A	
6. Maintenance Assistant	1B	
7. Page	#2, #4	
8. Library Assistant Director	2	

HIGHWAY DEPARTMENT	7/86-7/87 PROPOSED LEVEL	PROPOSED SALARY
1. Highway Superintendent	3	
2. Highway Foreman	2	
TOWN FIRE DEPARTMENT		
1. Fire Chief	#2, #5	
2. Deputy Fire Chief	#2	
3. Captain	#2	
4. Mechanic (Fire & Police)	#2	
TOWN POLICE DEPARTMENT		
1. Police Chief	5	
2. Deputy Chief	4	
3. Captain	3	
RECREATION		
1. Director/Youth Center Coordinator	2	
2. Clerk, Part-time	1A	
3. Waterfront Director	1A	
4. Swimming Instructor	1A	
5. Lifeguard	1A	
6. Playground Supervisor	1B	
7. Recreation Specialist	1A	
8. Recreation Leader	1A	
9. Youth Center Supervisor	1C	
10. Youth Center Leaders	1A	

OTHER POSITIONS	7/86 - 7/87 PROPOSED LEVEL	PROPOSED LEVEL
1. Building Inspector	3	
2. Electric Inspector	2	
3. Local Inspector	2	
4. Gas Inspector	2	$8,500 P.A.
5. Dog Officer	1C	
6. Assistant Dog Officer	1A	
7. Van Driver	1B	
8. Sealer of Weights & Measures	#2	$2,000 P.A.
9. Animal Inspector	#2	$1,000 P.A.
10. Clock Winder	#2	$ 200 P.A.
11. Town Engineer	3	

FOOTNOTES

#1 - Represented by Collective Bargaining
#2 - Not in "Job Rating Plan"
#4 - Federal Minimum Hour Wage
#5 - Salary will be 200% of the highest paid Union Firefighters established by State Law.

The Moderator announced to the Town Meeting body that Articles 3, 4 and 5, were being withdrawn. No motion or activity will take place concerning those three articles.

UNDER ARTICLE 6 The Moderator explained that the Departmental Budget requests would be presented as the Town Meeting body went thru the article. The final vote would be taken at the end of the article after the unclassified budget. Chairman of the Finance Committee, Elizabeth Marshall gave a brief presentation of the budget, explaining why the Committee recommended certain figures. The Finance Committee, Board of Selectmen, and the School Committee spent a lot of time preparing the budget and determining how much was going to be spent.
Treasurer, James Doukszewicz asked if the departments with personnel who would now be qualified to receive longevity as a result of the vote taken in article 2 should amend their budgets to reflect the new figures or was the Finance Committee going to do so? Also would the Finance Committee now include the elected officials and members of the Board of Health? The Finance Committee said that the monies needed for longevity will be transfered, and it would be only for those who come under the personnel Board. The elected officials and members of the Board of Health, would not be included, at this time.

The Moderator read the individual line items of each budget, starting with the Accounting Department through the Finance Committee. Under the Fire Department budget discussion took place. Selectman Ready moved to amend line item 32 to read $2,356,865. Total Fire Department, $2,467.069. Net Cost Fire Department $2,367,069. The Finance Committee asked for the purpose of the amendment. Selectman Ready explained that the Negotiation of the Fire Department's three year contract had been settled and that the agreement was a 7%,5% and 5% increase. Elizabeth Marshall, of the Finance Committee stated that the Finance Committee had not seen a contract, and was unaware that one had been signed, and felt that until the committee knew what was exactly stated in the contract (concerning benefits, etc.) that the Town Meeting Body should not approve the contract at this time. Also the Committee questioned the figure, felt it should be higher. Selectman Ready explained that the figure shown in the budget book was a 1985 figure and that the 7% was retroactive, 5% for fiscal 1987, but because that was the 1985 figure in the book you have to add the 7% twice plus the 5% fiscal 1987 increase, which is the increase that all Town Employees are receiving. A lengthy discussion followed. John Carson moved to table the Fire budget Until after the Special Town Meeting. He withdrew his motion. William Keohane made a question to move the question. The Moderator asked if there was any need for further debate? Hearing none he asked for a voice vote on the motion to amend line article 32, which left the chair in doubt, he asked for a show of hands, motion carried. James Sousa Acting Chief of the Fire Department moved to amend line 33 from $102,518. to $117,221. And to amend line 32 by adding an additional amount of $115,425. which would be funding for five more men. The Board of Selectmen and the Finance Committee were against the two motions. The Moderator asked for a voice vote on the motion to amend line 33, motion defeated. He then asked for a voice vote on line 32, motion defeated.

Elizabeth Marshall Chairman of the Finance Committee, moved to amend the Assessors Department Budget Line item 7 to read $124,535. This new figure reflects a 5% increase and not the 7% as requested. The Moderator asked for a voice vote, motion carried.

The Moderator read the Board of Health budget. Elizabeth Marshall Chairman of the Finance Committee, moved to amend the Salaries Line Item 36 to read $102,228. The purpose was due to the salaries reflecting a 7% increase instead of a 5%. The Moderator asked for a voice vote, which left the chair in doubt, a show of hands was taken, and the Moderator was still in doubt. The following tellers came forward to conduct a hand count:

Jack Peters	Estelle Decker	Jocelyn Anthony
Norman LeBrecque	Harry Foster	Walter Mellon
John Warren	Edward Hilliard	Connie Fabien
Jacob Sartz	Donald Elias	

Hand count result Yes 69 No 210 Motion Defeated.

The Moderator read from the Highway Department through the Law Department, Under the Library Department a discussion took place:
Susan Cantin, Chairman of the Library Trustees, moved to amend Line Item 61. Books and Periodicals to read $96,450. The Finance Committee and the Board of Selectmen were in favor of the motion to amend. The Moderator asked for a voice vote on the motion, motion carried,unanimously. The Moderator read the Moderator's budget and Nashoba Valley Technical High School Budget. Under the Park budget a discussion took place. Norman LeBrecque moved to amend Line Item 67 Expenses to read 9,446. He explained this $3,000. increase was to be used to maintain the soccer fields during the soccer season. The Finance Committee was in favor of the motion to amend. The Selectmen were not. Donald Ayers spoke in favor. Donald Gray Superintendent of Parks said that the department would be willing to maintain the fields. The Moderator asked for a voice vote, motion carried,unanimously.

The Moderator read from the Personnel Board budget through Public Buildings. Under the Recreation Commission budget, Selectmen Emerson moved to amend Line Item 82 Salaries to read $33,529. and Line Item 84 Expenses to read $17,780 for a total of $55,689. He said the increase was for the increase of cost for running the summer programs. The Moderator asked for a voice vote, which left the chair in doubt and asked for a show of hands, motion carried.

The Moderator read from the Registrars Department through the Town Celebration Committee budget. Under Town Clerk Department a discussion took place. Elizabeth Marshall, Chairman of the Finance Committee, moved to amend the Salaries Line Item 102 to read $92,492. This figure was reflects the 5% increase and not the 7% as requested. The Moderator asked for a voice vote on the motion to amend, motion carried.

The Moderator read the Town Engineering Department. Under the Treasurer/ Collector Department a discussion took place. Elizabeth Marshall, Chairman of the Finance Committee, moved to amend the Salaries Line Item 109 to read $144,611. Treasurer James Doukszewicz moved to amend the amendment to a figure of $146,347. which would included the longevity for his Assistant Treasurer,plus a 2½% increase and one step which was approved by the Personnel Board. David McLachlan of the Finance Committee asked if the Treasurer had included a figure for longevity for himself within this admended figure, and the reply was yes. The Finance Committee wanted the Town Meeting Body to be aware of this, and that they were not in favor of elected officials receiving longevity. The Moderator asked for a voice

vote on the motion to amend the motion (the figure of $146,347) motion defeated. The Moderator asked for a voice vote on the motion to amend (the figure of 144,611) which left the chair in doubt, the Moderator asked for a show of hands, motion defeated. The Moderator explained that the figure which will be voted on at the end of article 6 will be $145,866.

The Moderator read from the Tree Warden Department through the Unclassified Department Budget. The Moderator asked for any more discussion on article 6. Norman LeBrecque moved to adjourn the meeting until May 5th, at that time a total figure for the whole of article 6 could be given. The Finance Committee was in favor of the motion. The Board of Selectman were not. It was explained by the Moderator that if adjournment took place then all the figures could be brought back again for discussion. If a total figure is voted and the meeting adjourned then the budget figures could not be brought back up for discussion. The Moderator asked for a voice vote on the motion to adjourn, motion defeated. The Moderator then read the final figure for the total of all the budgets in article 6: $33,091,309.00 will be needed to be raised and appropriated. A discussion took place concerning the final figure. William Dalton made a motion to move the question. The Moderator asked if there was any need for further discussion. Hearing none, he asked for a voice vote on the figure of $33,091.309.00, motion carried. William Dalton moved to adjourn the meeting until Monday May 5th, 1986 to the McCarthy Jr. High Gymnasium. The Moderator asked for a voice vote, motion carried, the meeting adjourned at 11:05 PM.
Article 6 reads as follows:

James Doukszewicz, Town Treasurer, moved that the Town vote to raise and appropriate the sum of $33,091,309.00 to defray Town charges for the fiscal period from July 1, 1986 to June 30, 1987.

RTICLE 6.
EPARTMENTAL BUDGETS FY 1987
NNUAL TOWN MEETING 1986

CCOUNTING DEPARTMENT:	
1. SALARIES	87,345
2. EXPENSES	1,900
3. OUTLAY	600
TOTAL ACCOUNTING DEPT	89,845
ANIMAL INSPECTORS DEPARTMENT:	
4. INSPECTORS SALARY	1,000
5. EXPENSE	400
TOTAL ANIMAL INSPECTOR	1,400
BOARD OF APPEALS:	
6. EXPENSES	5,460
ASSESSORS DEPARTMENT:	
7. SALARIES	124,535
8. EXPENSES	50,000
9. OUTLAY	1
10. LEGAL SERVICES	5,000
11. REVALUATION UPDATE	37,500
TOTAL ASSESSORS DEPT	217,036
CEMETERY DEPARTMENT:	
12. SALARIES	127,257
13. EXPENSES	24,388
14. OUT OF STATE	500
15. OUTLAY	1,000
TOTAL	153,145
TRANSFER FROM P/C INT	15,000
NET COST CEMETERY DEPT	138,145
CONSERVATION COMMISSION:	
16. SALARIES	5,050
17. EXPENSES	6,210
	11,260
CONSTABLE:	
18. SALARY	150
COUNCIL ON AGING/TOWN AIDE:	
19. SALARIES	63,698
20. EXPENSES	29,190
TOTAL C-ON-A/TOWN AIDE	92,888

DEBT AND INTEREST:	
PRINCIPAL PAYMENTS:	
JUNIOR HIGH SCHOOL	0
WESTLAND & HARRINGTON ELEM SCHOOLS	155,000
BYAM ELEM SCHOOL	100,000
SCHOOL BLDG CAPTL IMPROV#3	0
SCHOOL BLDG CAPTL IMPROV#4	0
SCHOOL BLDG CAPTL IMPROV#5	0
SCHOOL BLDG CAPTL IMPROV#6	540,150
SCHOOL COMPUTER PURCHASE#2	0
SEWERAGE - PLANS & DESIGN	100,000
21. TOTAL PRINCIPAL	895,150
INTEREST PAYMENTS:	
ANTICIPATION OF REVENUE AND OTHER TEMP LOANS	240,000
JUNIOR HIGH SCHOOL	0
WESTLAND & HARRINGTON ELEM SCHOOLS	9,675
BYAM ELEM SCHOOL	21,000
SCHOOL BLDG CAPTL IMPROV#3	0
SCGOOL BLDH CAPTL IMPROV#4	0
SCHOOL BLDG CAPTL IMPROV#5	0
SCHOOL BLDG CAPTL IMPROV#6	84,325
SCHOOL COMPUTER PURCHASE#2	0
SEWERAGE-PLANS & DESIGN	37,000
22. TOTAL INTEREST	392,000
TOTAL DEBT AND INTEREST	1,287,150
DOG OFFICER:	
23. SALARIES	25,385
24. EXPENSES	2,000
25. POUND RENTAL	6,000
26. CARE OF LIVE ANIMALS	1,200
TOTAL DOG OFFICER	34,585
EDWARDS MEMORIAL BEACH:	
27. EXPENSES	1,000
ELECTIONS:	
28. WAGES AND EXPENSES	28,549
EMERGENCY MANAGEMENT AGENCY: (PREVIOUSLY KNOWN AS CIVILIAN DEFENSE)	
29. EXPENSES	2,040
30. OUTLAY	1,026
TOTAL EMERGENCY MANAGEMENT AGENCY	3,066
FINANCE COMMITTEE:	
31. EXPENSES	2,000

IRE DEPARTMENT:	
32. SALARIES	2,356,865
33. EXPENSES	102,518
34. OUT OF STATE	1
35. OUTLAY	7,685
TOTAL FIRE DEPT	2,467,069
APPROPRIATION FROM REVENUE SHARING FOR SALARIES	100,000
NET COST FIRE DEPT	2,367,069
HEALTH DEPARTMENT:	
36. SALARIES	103,260
37. EXPENSES	14,050
38. OUTLAY	1
39. OUT OF STATE	1
40. MOSQUITO CONTROL	10,000
TOTAL HEALTH DEPT	127,312
HIGHWAY DEPARTMENT:	
41. SALARIES	576,094
42. EXPENSES	426,494
43. SNOW AND ICE	270,000
TOTAL HIGHWAY DEPT	1,272,588
REVENUE SHARING APPROPRIATION	0
NET COST HIGHWAY DEPT	1,272,588
HISTORICAL COMMISSION:	
44. EXPENSES	1,000
HYDRANT SERVICE:	
45. CENTER	52,600
46. NORTH	19,300
47. EAST	7,000
48. SOUTH	0
TOTAL HYDRANT SERVICE	78,900
INSECT PEST CONTROL:	
49. SUPERINTENDENTS SALARY	1,250
50. EXPENSES	10,800
TOTAL INSECT PEST CONTROL	12,050
INSPECTION DEPARTMENT:	
51. SALARIES	131,192
52. EXPENSES	15,502
53. OUT OF STATE	500
54. OUTLAY	1
TOTAL INSPECTION DEPT	147,195
INSURANCE DEPARTMENT:	
PROPERTY LIABILITY AND ALL TYPES	577,216
CHAPTER 32B	1,022,614
55. TOTAL INSURANCE DEPT	1,599,830

LAW DEPARTMENT:	
56. TOWN COUNSEL	500
57. LEGAL SERVICES	50,000
58. MISC EXPENSE-ASSOC DUES	750
TOTAL LAW DEPT	51,250
LIBRARY DEPARTMENT:	
59. SALARIES	380,750
60. EXPENSES	73,711
61. BOOKS AND PERIODICALS	96,450
62. OUTLAY	1,437
63. OUT OF STATE	450
TOTAL LIBRARY DEPT	552,798
LESS STATE AID	15,587
NET COST LIBRARY DEPT	537,211
MODERATOR:	
64. SALARY	300
NASHOBA VALLEY TECH HIGH SCHOOL:	
65. ASSESSMENT	618,431
PARK DEPARTMENT:	
66. SALARIES	35,231
67. EXPENSES	9,446
68. OUTLAY	1
TOTAL PARK DEPT	44,678
PERSONNEL BOARD:	
69. EXPENSES	650
PLANNING BOARD:	
70. EXPENSES	17,577
71. OUTLAY	1
TOTAL PLANNING BOARD	17,578
POLICE DEPARTMENT:	
72. SALARIES	1,955,166
73. EXPENSES	199,148
74. CHIEFS OUT OF STATE	1,050
75. OUTLAY	1
76. AUXILIARY-EXPENSE	3,070
77. AUXILIARY-OUTLAY	400
TOTAL POLICE DEPT	2,158,835
APPROPRIATION FROM REVENUE SHARING FOR SALARIES	100,000
NET COST POLICE DEPT	2,058,835
PUBLIC BUILDINGS:	
78. SALARIES	53,178
79. EXPENSES	58,930
80. SUPERVISION FEE	7,000
81. OUTLAY	2,000
TOTAL PUBLIC BUILDINGS	121,108

RECREATION COMMISSION:	
82. SALARIES	37,909
83. EXPENSES	17,780
84. OUTLAY	0
TOTAL RECREATION COMMISSION	55,689
REGISTRARS DEPARTMENT:	
85. SALARIES	21,105
86. EXPENSES	9,242
87. OUTLAY	1
TOTAL REGISTRARS DEPT	30,348
SCHOOL DEPARTMENT:	
88. BUDGET FY 1987	18,874,726
SEALER OF WEIGHTS & MEASURES:	
89. SALARY	2,100
90. EXPENSES	300
TOTAL SEALER DEPT	2,400
SELECTMENS DEPARTMENT:	
91. SALARIES	90,725
92. EXPENSES	14,800
93. OUTLAY	1,500
94. OUT OF STATE	500
TOTAL SELECTMENS DEPT	107,525
SEWER COMMISSION:	
95. SALARIES	37,160
96. EXPENSES	25,400
97. PROFESSIONAL FEES	50,000
98. OUTLAY	1
99. OUT OF STATE	5,000
TOTAL SEWER COMMISSION	117,561
STREET LIGHTING:	
100. EXPENSE	168,000
TOWN CELEBRATION COMMITTEE:	
101. EXPENSE	500
TOWN CLERK DEPARTMENT:	
102. SALARIES	92,492
103. EXPENSES	5,605
104. OUTLAY	410
TOTAL TOWN CLERK DEPT	98,507
TOWN ENGINEERING DEPARTMENT:	
105. SALARIES	68,013
106. EXPENSES	5,590
107. OUTLAY	1
108. OUT OF STATE	1
TOTAL ENGINEERING DEPT	73,605

TREASURER/COLLECTOR DEPARTMENT:	
109. SALARIES	145,866
110. EXPENSES	26,618
111. OUTLAY	800
TOTAL TREASURER/COLLECTOR	173,284
TREE WARDEN DEPARTMENT:	
112. SALARIES	1,000
113. EXPENSE	13,875
114. OUTLAY	1
TOTAL TREE WARDEN DEPT	14,876
VARNEY PLAYGROUND:	
115. LABOR-PART TIME	3,150
116. EXPENSES	1,999
117. OUTLAY	1
TOTAL VARNEY PLAYGROUND	5,150
VETERANS BENEFITS DEPARTMENT:	
118. SALARIES	43,893
119. EXPENSES	4,150
120. OUTLAY	1
121. CASH & MATERIAL GRANTS	53,000
TOTAL VETERANS BENEFITS	101,044
WASTE COLLECTION:	
122. EXPENSE	1,200,000
UNCLASSIFIED DEPARTMENT:	
123. AMBULANCE SERVICE	0
124. CABLE TV COMMISSION	3,100
125. CLERK OF COMMITTEES	0
126. COUNTY RETIREMENT ASSESSMENT	999,549
127. CULTURAL COUNCIL	100
128. ELDER SERVICES OF MER VALLEY	1,800
129. HISTORIC DISTRICT COM	1,000
130. LOWELL MENTAL HEALTH	9,000
131. MEDICAL BILLS RETIRED POLICE AND FIRE CHAP. 41 SEC. 100B	10,000
132. MEMORIAL DAY EXPENSE	1,000
133. MOBIL HOME RENT CONTROL BD.	250
134. NMAC ASSESSMENT	9,000
135. POLICE MUTUAL AID-LEAA	2,000
136. PRELIMINARY PROJECT STUDIES	1
137. TOWN CLOCK EXPENSE	600
138. TOWN & FIN COM REPORTS	5,800
139. UNEMPLOYMENT BENEFITS-STATE	50,000
140. VETERANS PENSION CLAIMS	6,375
TOTAL UNCLASSIFIED DEPT	1,099,575
TOTAL GROSS APPROPRIATIONS	33,321,896
LESS: TRANSFERS	230,587
RAISE AND APPROPRIATE	33,091,309

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 5, 1986

The Adjourned Annual Town Meeting was called to order at the McCarthy Jr. High Gymnasium at 7:45 PM by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 241 voters present.

The Moderator explained briefly the Town Meeting rules of order.

Elizabeth Marshall, Chairman of the Finance Committee, moved to take Article 21 out of order. The Finance Committee felt it was important for the Town Meeting Body to know where the Town stood financially at this point in time before any more money articles are acted upon. The Board of Selectmen were against taking the article out of order. The Moderator asked for a voice vote, motion carried. Selectman Ready moved to postpone article 21 until the first order of business on May 12th. The Finance Committee was against postponement. The Moderator asked for a voice vote on the motion to postpone, motion defeated.

UNDER ARTICLE 21 Selectman Dennis Ready moved that the town vote to raise and appropriate the sum of $194,760.00 to appropriate salary lines items to fund approved wage and salary increases and expense allocations in the following departmental accounts:

Line Item 32. Fire Department Salary Account:	$173,743.00
Line Item 33. Fire Department Expense Account	4,725.00
Accounting Department 1. Salaries	1,737.00
Assessors Department 7. Salaries	617.00
Cemetary Department 12. Salaries	1,716.00
Council on Aging/Town Aide 19. Salaries	965.00
Highway Department 41. Salaries	5,019.00
Inspection Department 51. Salaries	429,00
Library Department 59. Salaries	2,378.00
Park Department 66. Salaries	1,716.00
Selectmen Department 91. Salaries	289.00
Town Clerk Department 102. Salaries	650.00
Veteran's Benefit Department 118. Salaries	776.00
TOTAL	$194,760.00

Selectman Ready explained that these are the figures needed to fund the budgets as a result of the action taken under article 2 and article 6.

Elizabeth Marshall, Chairman of the Finance Commitee, spoke about the cost of the article and the impact it will have on the other money warrant articles. She questioned where the funding was to come from. There could be a possibility of cutting back the Fire Department or other alternatives.

William Dalton speaking on behalf of the Fire Department's union personnel, explained that they have been negotiating for over one year and that the contract was signed and voted on, and felt that the Fire Department was being used as a scapegoat at this point. None of the other budgets where raises were given were being used as examples. A lengthy discussion took place. William Dalton moved the question to stop debate. The Moderator asked for a voice vote on the motion which left the chair in doubt. The following tellers came forward and a hand count was taken:

Donald Elias	Jocelyn Anthony	John Warren
Norman Labrecque	Jacob Sartz	Jean Horgan
Estelle Decker	Thomas Gazda	Jack Peters
	Harry Foster	

Result of the hand count Yes 132 No 41, 2/3's vote required, 116 needed motion carried. The Moderator then asked for a voice vote on article 21, which left the chair in doubt, the tellers came forward and conducted a hand count. Result: Yes 116 No 71, motion carried.

Elizabeth Marshall, Chairman of the Finance Committee, moved to recess the meeting for a short period of time for the purpose of re-establishing the Town's financial postion. The Moderator asked for a voice vote, motion carried. The meeting recessed at 8:45 PM.

The Moderator re-convened the meeting at 9:00 PM. Elizabeth Marshall, Chairman of the Finance Committee, moved to reconsider article 21. The Committee felt that the up-coming money articles could be cut, then the financial status would be all right, however if they are voted along with everything else that has been voted upon, the Town will be $84,060.00 in deficit. A discussion took place. William Dalton spoke against the motion to reconsider and made a motion to moved the question. The Moderator asked if there was any need for further debate. Hearing none he asked for a voice vote on the motion to reconsider, motion defeated. George Ripsom of the Finance Committee, questioned the voice vote. The tellers came forward and conducted a hand count. Result: Yes 69 No 111 motion to reconsider defeated

UNDER ARTICLE 7 James R. Doukszewicz, Town Treasurer, moved to see if the Town will vote to authorize the town Treasurer, with the appproval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1986: in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 and 17 (a).

The Board of Selectmen and the Finance Committee recommend the article. Motion carried, unanimously.

William Dalton moved to adjourned the meeting until Monday May 12, 1986. He felt that this would give the Finance Committee and the Selectmen time to review the remaining money articles. Both the Board of Selectmen and Finance Committee were against the motion. The Selectmen wanted to go ahead and make a decision on the non-money articles. The Moderator asked for a voice vote, motion defeated to adjourn.

***see ADJ ATM of 5-27-86 for action

UNDER ARTICLE 8 James R. Doukszewicz, Town Treasurer, moved that he Town vote to request the Department of Revenue, Division of Accounts of th ommonwealth of Massachusetts, to make an audit of all accounts in all epartments in the Town of Chelmsford.

he Finance Committee and the Board of Selectmen recommend the article. lotion carried, unanimously by voice vote.

** UNDER ARTICLE 9 Elizabeth Marshall, Chairman of the Finance Committee oved to postpone the article until the completion of the Special Town Meeting chedule for May 12th. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 10 The Selectmen stated that this article was to be ismissed due to no previous bills.

UNDER ARTICLE 11 Peter Dulchinos, Chairman of the Board of Health, moved to table this article until another time within the Town Meeting. Motion carried.

UNDER ARTICLE 12 John P. Emerson Jr. Chairman of the Sewer Commission moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford Massachusetts, and further described and shown on a set of plans, entitled Plan of Sewer Easement in Chelmsford Massachusetts, North Interceptor Sewer, prepared for the Chelmsford Sewer Commission, February, 1986, scale 1 inch = 40 feet, by Howe surveying, and a plan entitled "Subdivision of Land in Chelmsford 1"=40' dated December 11, 1985, Prepared by William G. Troy", copies of which are on file in the office of the Town Engineer and are incorporated herewith, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto said funds to be expended from the sale of Bonds and/or notes authorized from Articles 31 from the Annual Town Meeting of 1984.

Selectman Emerson explained that there was no money involved, just a vote of approval needed. The Finance Committee recommend. A 2/3's vote was required. A voice vote was taken, motion carried, unanimously.

UNDER ARTICLE 13 Selectman Emerson stated that the monies required for this article would be bonded, and asked James Doukszewicz to explain. James Doukszewicz moved to amend the article by updating the amounts shown. He explained that since the article was drawn up amounts changed, and before Town Meeting action was to take place an amendment was required. Under Cemetery dept, roof for maint. bldg. $26,600. Under highway dept. 4 whl.dr dump trucks (2-1 ton) 47,000. Under highway dept diesel dump trucks (2) $93,000. and under highway dept. grader add and plow. He explained that the departments had to stay within the amount requested because of the bonding issue. If the required work or equipment needed was more than the request, then the departmen would not be able to have the equipment of work done. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator proceeded on with Article 14 and took a vote. Mary St.Hilaire, Town Clerk informed the Moderator that a final vote was not taken on Article 13, just the motion to amend. The Moderator made a point of order and returned to Article 13 and asked for a voice vote on the main motion as amended. The motion carried, unanimously, and the article reads as follows:

Selectmen John P. Emerson moved that the town vote to appropriate the sum of $2,295,520.00 for the following capital projects:

landfill closure costs	$ 450,000.00
police dept.communications system	$ 125,000.00
police dept.stainless steel toilets(6)	$ 6,000.00
police dept.smoke detectors/lights(cells)	$ 5,000.00
police dept. elec. breathilizer	$ 5,000.00
police dept.--new cruisers (5)	$ 60,000.00
bldg.inspctn.microfilm reader/printer	$ 13,000.00
cemetery dept.roof for maint.bldg.	$ 26,600.00
Cemetery dept.3/4 ton pick-up truck	$ 12,000.00
park dept. 3/4 ton pick-up truck	$ 11,000.00
publc.bldgs.stairway from lower pkg.lot to upper lot-Town Office Buildg.	$ 8,000.00
publc.bldgs.carpeting for Town Ofc.Bldg.	$ 29,200.00
fire dept. rescue truck	$ 80,000.00
fire dept.auto.generator for sta.# 01	$ 20,000.00
fire dept. portable foam	$ 7,000.00
fire dept.hazardous waste materials-- equipment and training	$ 20,000.00
recreation dept.So.Row outfield rehab.	$ 5,000.00
highway dept.drainage work projects	$ 163,000.00
highway dept.road resurfacing projects	$ 355,300.00
highway dept.diesel dump trucks(2)	$ 93,000.00
highway dept.4 whl.dr.dump trucks(2-1 ton)	$ 47,000.00
highway dept.grader and plow	$ 104,000.00
sewer commission drainage work	$ 250,000.00
library dept.ports/printers-(2)CLSI terminals	$ 5,520.00
school dept.roof coating--McCarthy roofs	$ 15,000.00
school dept.student furn.replacement--- 500 units-elem.schls.	$ 37,500.00
school dept.bus.educ.terminals (18)	$ 22,500.00
school dept.sidewalk repairs/voting ramps	$ 40,000.00
school dept.So.Row windows glazed	$ 10,000.00
school dept.So.Row playground surface rehabilitation	$ 22,000.00
school dept(3 Schls)panic hdwre.rplcd.	$ 28,000.00
schl.dept.bleacher rplcmt.(section)--- McCarthy field	$ 7,500.00
schl.dept.walkways resurfaced	$ 30,000.00
schl.dept.Westland playground rehab.	$ 4,000.00
school dept. T-V equipment	$ 15,000.00
schl.dept.high schl.track rehab.	$ 100,000.00
schl.dept.high schl.carpeting	$ 16,000.00
schl.dept.high schl.painting	$ 10,000.00
schl.dept.high schl.(Lexan glass replaced)	5,000.00
accounting dept.computer hdwr./sftwre.	$ 32,400.00

and that to meet these appropriations, the Treasurer, with the approval of the Selectmen, is authorized to borrow $2,295,520.00 under G.L.ch 44 section 7.

UNDER ARTICLE 14 Charlott DeWolf, Chairman of the Cemetery Commission, moved that the town vote to transfer the sum of $15,000.00 from the Sale of Graves and Lots to the Improvement and Development Fund of the Cemetery Department

The Moderator asked for a voice vote,motion carried, unanimously.

UNDER ARTICLE 15 Chairman of the Board of Health, Peter Dulchinos, moved that the Town vote to amend to the General By-Laws, Article VII Miscellaneous, by adding the following: Section II. Discharge of subsurface material and storage of fuels, substances, etc., within 1200 feet of wells.

1. Definitions

In this By-Law, the following terms have the following meaning;

(a) Subsurface material: any substance defined as (1) a Hazardous waste by any federal or state agency; by any Federal or State regulation, or pursuant to Article X of the Town of Chelmsford General By-Laws. (2) Septic wastes, whether or not pretreated, and (3) Industrial waster, (4) and/or any other material found to be hazardous and/or dangerous to the public health, welfare and safety and/or environment, by the Board of Health.

(b) Discharge: The Discharge, deposit, injection, dumping, spilling, leaking, incineration, or placing of substance materials below any surface.

(c) Storage: The actual or intended containment of subsurface materials.

2. No subsurface material shall be discharged or stored within 1200 feet of any wells located within the Town, if said wells supply the inhabitants of the Town with water, whether through an established Water District or municipal wells.

3. No fuels or subsurface material shall be stored within 1200 feet of any wells located within the Town, if said wells supply the inhabitants of the Town with water, whether through an established Water District or Municipal Wells.

4. Enforcement.

The Board of Health or its Enforcement Officer may, according to law, enter upon any premises at any reasonable time to inspect for compliance with the provisions of this By-Law. Upon demand by the owner or person in control of the premises, however, the Board of Health or its Enforcement Officer shall obtain a

warrant authorizing such entry and inspection. Information necessary to demonstrate compliance shall be submitted by the occupant of the premises at the request of the Board of Health or its Enforcement Officer. If requested, samples of subsurfaces materials and/or materials stored shall be provided to the Board of Health or its Enforcement Officer for testing. All records pertaining to said materials, disposal and removal shall be retained for no less than five years, and shall be made available for review within 48 hours of a request.

5. Violation.

Upon determination by the Board of Health of a violation of this By-Law, the Board may issue such order as it deems appropriate to remedy the violation. The order may include a compliance schedule for those activities which the Board of Health deems reasonably necessary to abate the violation.

6. The Planning Board, Board of Appeals and Building Inspector shall be prohibited from issuing any special permits variances or building permits in contravention of this By-Law and any said permits shall be deemed null and void.

7. Penalty.

Violation of this By-Law shall be punishable by a fine of $300.00 for each offense. Each day that such violation continues shall constitute a separate offense.

8. Severability.

It is hereby declared that the provisions of this By-Law are severable, and if any provisions of this By-Law shall be declared unlawful by a valid judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining provisions of this By-Law.

The Board of Health asked for support of the article from the Town Meeting body. The Selectman and Finance Committee recommended the article. Richard O'Neil wanted to amend the article to read residential wells, but this was ruled out of order by Town Counsel James Harrington, The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 16 Selectman John P. Emerson Jr. moved that the Town vote to accept the provisions of General Law, Chapter 44, Section 53E.

Selectman Emerson explained that this was to be used by Departments for their own receipts so they could apply the monies towards their own operating expenses. Before they can do this they must get Town Meeting approval to set up the re-volving acccunt. The Moderator asked for a voice vote, motion carried.

UNDER ARTICLE 17 Selectman John P. Emerson Jr. moved that the Town vote to amend the General By-Laws, Article VII - Miscellaneous, by deleting Section 1. Dog Leash Law, and Section 8. Licensing of Dogs, by deleting said sections in their entirety, and substituting the following in their place.

Section I. Regulation of Dogs

1. REFERENCE TO MASSACHUSETTS GENERAL LAWS

Any reference to a "Section number" in this By-Law shall mean Chapter 140 of the Massachusetts General Laws, unless otherwise stated.

2. DEFINITIONS

Unless otherwise set out in this By-Law, any term defined in Section 136A, shall have the same meaning in this By-Law, and shall be expressly incorporated herein.

OWNER - Owner shall be intended to mean any person or persons, firm, association or corporation owning, keeping or harboring a dog owned or kept in the Town.

AT LARGE - At Large shall be intended to mean off the premises of the owner, and not under the control of the owner or authorized escort either by leash, cord, chain, or otherwise.

LICENSE PERIOD - The license period shall be from January 1 of each year to December 31 of the same year.

3. REGISTRATION AND LICENSES

(a) A person who at the commencement of a license period is, or who during any license period becomes, the owner or keeper of a dog three months old or over which is not duly licensed, and the owner or keeper of a dog three months old or over which is not duly licensed, and the owner or keeper of a dog when it becomes three months old during a license period, shall cause it to be registered, numbered, described and licensed until the end of such license period, and the owner or keeper of a dog so registered, numbered, described and licensed during any license period, in order to own or keep such dog after the beginning of the succeeding license period, shall, before the

beginning thereof, cause it to be registered, numbered, described and licensed for such period. The registering, numbering, describing and licensing of a dog shall be done in the office of the Town Clerk on a form prescribed and supplied by the Town Clerk, and shall be subject to the condition expressed therein that the dog which is subject of the license shall be controlled and restrained form killing, chasing or harassing live stock or fowls.

The Town Clerk shall not grant such license for any dog unless the owner thereof provides the Town Clerk with either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of Section 145 B or has been certified exempt from such provision as outlined in Section 137 or 137A, or a notarized letter from a veterinarian that a certificate was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

The Owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag in a form prescribed by and issued by the Town Clerk when a license is issued. Such tag shall state the following: (a) Town of Chelmsford, (b) Year of issue, and (c) tag number. If any such tag shall be lost, the owner or keeper of such dog shall forthwith secure a substitute tag from the Town Clerk at a cost of one dollar. This section shall not apply where it is otherwise provided by law, nor shall it apply to a person having a kennel license.

(b) The provisions of Section 138 and 138 A shall be expressly incorporated under this By-Law.

(c) A license duly recorded shall be valid throughout the commonwealth, except that, in the case of the permanent moving of a dog into the town, the owner or keeper thereof shall, within thirty days after such moving, present the original license and tag of such dog to the Town Clerk and said Town Clerk shall take up the same and issue to said owner or keeper a transfer license, together with a tag, for such dog upon payment of one dollar. The provisions of this By-Law relative to the form and furnishing of licenses and tags shall apply to licenses and tags issued under this paragraph.

4. KENNEL LICENSE

(a) Any person maintaining a kennel shall have a kennel licence.

(b) Any person who meets any requirement of the Town of Chelmsford By-Laws, and Section 137A, may obtain a Kennel License from the Town Clerk on a form prescribed and supplied by the Town Clerk and for a fee as set out in Section 5 of this By-Law. The Town Clerk shall upon application issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

(c) The provisions of Section 137B shall be expressly incorporated under this By-Law.

(c) The Chief of police or dog officer may at any time inspect or cause to be inspected any kennel and if, in their or his judgement, the same is not being maintained in a sanitary and humane manner, or if records are not properly kept as required by law, shall file with the selectmen a petition setting forth the facts, and the selectmen shall upon this petition, or upon a petition of twenty-five citizens, setting forth that they are aggrieved, or annoyed to an unreasonable extent, by one or more dogs at a kennel maintained in town, because of excessive barking or vicious disposition of said dogs or other conditions connected with such kennel constituting a public nuisance, said selectman, within seven days after the filing of such petition, shall give notice to all parties in interest of a public hearing to be held within fourteen days after the date of such notice. Within seven days after such public hearing said selectmen shall make an order either revoking or suspending such kennel license or otherwise regulating said kennel, or dismissing said petition. Within ten days after such order the holder of such license may bring a petition in the district court as outlined in Section 137C. Any person maintaining a kennel after the license therefor has been so revoked, or while such license is so suspended, shall be punished as set forth in section 18 of this By-Law. The selectmen may in the case of any suspension, reinstate such license.

(d) The provisions of Section 137D A shall be expressly incorporated under this By-Law.

5. LICENSE FEES

The fee for every dog licensed shall be as follows:

Four Dollars ($4.00) or every neutered male dog.
Four Dollars ($4.00) for every spayed female dog.
Seven Dollars ($7.00) for every male and female dog.

Determination of licensing eligibility, dogs not required to be licensed, or refunding license fees, shall be determined as set out in Section 139.

The fee for every kennel license shall be as follows:

Ten Dollars ($10.00)	for every kennel license for 4 dogs or less
Twenty-five Dollars ($25.00)	for every kennel license for over 4 but not over 10 dogs.
Fifty Dollars ($50.00)	for every kennel license for over 10 dogs.

All the fees shall be increased by Five Dollars ($5.00) on the first day of the second month following the required licensing period, as outlined in section 3 (a) of this By-Law, and by an additional Five Dollars ($5.00) on the first day of each succeeding month.

6. DOG OFFICER

The Board of Selectmen shall annually appoint a dog officer and as many assistant dog officers as said board determines necessary to enforce this By-Law and, said individual (s) shall enforce this By-Law and perform such other duties as the selectmen may determine. The selectmen shall determine hours and conditions of work for the dog officers. Compensation for persons appointed under this By-Law shall be consistent with other By-Laws dealing with salaries of appointed officials.

The provisions of Section 151 and 151A regarding killing and or transfer of and dogs shall apply and are expressly incorporated in this By-Law. No dog officer shall be a licensed animal dealer registered with the United States Department of Agriculture, and no dog officer, either privately or in the course of carrying out his official assignments as an agent for this town, or shall any other agent of the town, give, sell, or turn over any animal which may come into his custody to any business or institution licensed or registered as a research facility or animal dealer with the United States Department of Agriculture Whoever violates the provisions of this paragraph shall be punished as provided in Section 151.

7. LEASH LAW

No owner or keeper of any dog shall permit such dog to run at large at anytime. The provisions of this section shall not be intended to apply to dogs participating in any dog show, nor to "seeing-eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place, nor to any dogs properly trained and under control of and aiding the deaf, nor to any dogs being trained or actually being used for hunting purposes.

Nothing contained in the foregoing paragraph shall prevent the Selectmen from passing any orders authorized by Massachusetts General Laws or by Section 167 at such times as they shall deem it necessary to safeguard the public.

Every owner or keeper of a dog shall exercise proper care and control of their dog so as to prevent said dog from becoming a public nuisance. It shall be deemed a public nuisance if any dog should trespass upon public or private property and deposit feces thereon, unless said feces are immediately removed by the owner or keeper of said dog.

8. CONFINEMENT ETC., OF DOGS

The dog officer shall seek out, catch and confine all dogs within the town that have not been licensed within 60 days of the time the dog is required to be licensed under this By-Law; and shall seek out, catch and confine any dogs within the town that are found on public property, or on private property where

said dog is trespassing and the owner or person in control of such property wants the dog removed, said dogs being in violation of this requirement of this By-Law; and shall seek out, catch and confine any dog within the town when said dog was cited for a violation of any provision of this By-Law, and the owner or keeper has failed within 21 days to avail himself to Section 16 or 17 of this By-Law, or within 21 days of a determination by the court under the provisions of Article 1, Section 2 of the Town of Chelmsford General By-Laws that any sums are due, and has failed to pay said sums.

Any owner or keeper of any dog who refuses to turn over any dog to the dog officer upon demand, said seeking out, catching or confinement authorized in the paragraph above, shall be punished by a fine of One Hundred Dollars ($100). Each day that said violation continues shall constitute a separate offense.

9. DISPOSITION OF DOGS

Any dog confined by the dog officer, unless picked up by the owner, shall be kept for at least 10 days, at which time said dog may be disposed of in a manner determined by the Board of Selectmen, provided that at the end of 10 days, the dog officer may make available for adoption any male or any spayed female dog not found to be diseased. Any dog confined by the dog officer shall not be released to the owner until the owner produces evidence of a current dog license, and pays a sum of $10 per day for care of the animal, each day or part of a day counted as one day. For any dog adopted under this paragraph, a fee of $10 shall be charged, and said dog shall be licensed before adoption. Any fees in this paragraph are to be in addition to fees or fines as specified elsewhere in this By-Law and/or under Massachusetts General Laws. No dog shall be turned over or sold in any manner inconsistent with Section 151 or disposed of inconsistent with the provisions of 151A.

10. EMERGENCY TREATMENT

Any veterinarian registered under the provisions of section fifty-five or fifty-six A of chapter one hundred and twelve who provides emergency treatment of a dog or cat that is injured on any public way in Chelmsford shall receive in lieu of payment from the county dog

fund as allowed in Section 151 B, payment from the Dog Fund provided by under this By-Law. All other provisions of Section 151 B shall be incorporated herein under this By-Law.

11. DAMAGE CAUSED BY DOGS

Whoever suffers loss in a manner described in Section 161 shall inform the dog officer of such loss, who shall investigate the circumstances of said loss. In the event it is found that the damage was caused by a dog and the estimate of damages by the dog officer is less than $50, he shall submit a report to the Board of Selectmen. If the estimate is over $50, he shall have the damage appraised on oath, by three persons, one person appointed by the dog officer, one appointed by the person alleged to be damaged, and one appointed by the other two. Said appraisers shall act as outlined in Section 161 and turn in said appraisal to the Board of Selectmen who may authorize payment, or make such independent investigation as they think proper, and shall issue an order upon the Town Treasurer for any amount as they decide to be just and shall notify all interested parties of their decision. The appraisers shall receive payment from the town in a manner as is authorized in Section 161. All funds expended under this section shall come from the Dog Fund.

The Selectmen may appoint a temporary investigator in any case that the board believes in its reasonable discretion requires further investigation, and if said investigator believes that the evidence is sufficient to sustain an action against the owner or keeper of the dog, he shall recommend to the board of selectmen that said action be brought, unless the owner or keeper before action brought pays him such amount in settlement of the damages as he deems reasonable. After the recommendation of the investigator, the selectmen may order that action shall be brought in his own name or in the name of the Town of Chelmsford or both, as the selectmen, determine.

If the Selectmen determine, after notice to parties interested and a hearing, who is the owner or keeper of any dog which is found to have worried, maimed or killed any live stock or fowls, thereby causing damages for which their owner may become entitled to compensation

from the dog fund under this By-Law they shall serve upon the owner or keeper of such dog a notice directing him within twenty-four hours to kill or confine the dog. A person who owns or keeps a dog, and who has received such notice and does not within twenty-four hours kill such dog or thereafter keep it on his premises or under the immediate restraint and control of some person, shall be punished as provided in Section 18 of this By-Law, and any police officer, constable or dog officer may kill such dog if it is found outside of the enclosure of its owner or keeper and not under his immediate care.

The Board of Selectmen, or their agents thereto authorized in writing, may, after written notice to the owner or keeper, enter upon the premises of the owner or keeper, of any dog known to them to have worried or killed live stock or fowls, and then and there kill such dog, unless such owner or keeper whose premises are thus entered for the said purpose shall give a bond in the sum of two hundred dollars, with sufficient sureties, approved by the Board of Selectmen conditioned that the dog shall be restrained for twelve months next ensuing. And if the owner or keeper of the dog declares his intention to give such a bond, said Selectmen or their agents, shall allow him seven days, exclusive of Sundays and holidays, in which to procure and prepare the same and to present it to them, or to file it with the Town Clerk.

12. LIABILITY FOR DAMAGES

The owner or keeper of a dog which has done damage to live stock or fowls shall be liable in tort to the town for all damages so done in which the Town has been requested to pay as provided by General Laws Chapter 140 or by this By-Law. Such action may be brought by the Board of Selectmen, or by a temporary investigator as authorized in Section 11 of this By-Law.

13. REWARDS

The provisions of Sections 162 regarding the rewards for killing a dog shall be incorporated herewith with said funds being paid from the Dog Fund.

14. ORDERING DOGS TO BE MUZZLED OR RESTRAINED

All the provisions of Section 167 shall be incorporated into this By-Law except that any dog held under the provisions of Section 167 may not be released until all the requirements of this By-Law, regarding licensing and the fee for care of the animal, are complied with. All other provisions of Section 167 shall be incorporated herein.

15. VIOLATIONS

Any person authorized to enforce provisions of this By-Law shall in addition to any pickup of the dog pursuant to this By-Law, issue a citation to the owner or keeper of any dog violating the provisions of the Leash Law requirements of this By-Law. Any such citation shall include, in addition to the violation charged, the name and address of the owner or keeper of the dog, the date and time and location of the alleged offense, and the amount of the penalty due. said citation shall be on a form prescribed by the furnished by the Town Clerk.

16. INFORMAL DISPOSITION PROCESS

The owner or keeper of the dog that receives a citation under this By-Law, may within 21 days, confess to the offense charged by personally or through a duly authorized agent or by mailing to the Town Clerk, said citation along with payment in the amount as authorized under the PENALTY provisions of this By-Law. Said payment shall be by postal note, money order or check. The payment to the Town Clerk shall operate as a final disposition of the case.

If such person when issued a citation desires to contest the violation through the Informal Disposition Process, he may, within 21 days of said issuance, request a hearing with the Town Clerk, or a hearing officer appointed by said clerk, and may present either in person or by counsel, any evidence he may have to refute the allegation contained in the citation. At such hearing, the clerk or hearing officer shall make a determination as to facts of the allegation, and said determination shall be final regarding the informal disposition process.

17. NON CRIMINAL DISPOSITION OF VIOLATION

If any person so notified by citation desires to contest the violation alleged in the citation notice without availing themselves to the provisions of the informal process, or desires to contest the decision of the clerk or hearing officer, he may avail himself to the procedures established in Article 1, Section 2 or the Town of Chelmsford General By-Laws. In either of the above cases, or if the owner or keeper of a dog fails to respond to the citation within 21 days, the Town Clerk shall forward a copy of the citation to the District Court where it shall be handled under the provisions of Article 1, Section 2 of the Town of Chelmsford General By-Laws.

18. PENALTY

(1) The following penalties, except where indicated herein shall be in effect for violations of the Leash Law provisions of this By-Law:

(a) Informal Disposition Process

1st Offense in calendar year	$25
2nd Offense in calendar year	$50
3rd or Subsequent Offense in calendar year	$100

(b) Non Criminal Disposition through Article 1,

Section 2, Town of Chelmsford General By-Laws.

1st Offense in calendar year	$50
2nd Offense in calendar year	$100
3rd or Subsequent Offense in calendar year	$150

(2) Violation of Section 4, (d) of this By-Law shall be $50.

(3) Penalties for violations of any other provision of this By-Law shall be $100.

(4) Each day of all said violations shall constitute a separate offense.

19. DOG FUND

There shall be a dog fund established by the town under the provisions of Chapter 44, Section 53 E of Massachusetts General Laws which shall be used to make purchases necessary to administer this By-Law and to pay any expenses relating to this By-Law or for any other costs that Massachusetts General Laws require to be paid from the county dog fund. Said fund shall be administered by the Town Accountant and may receive funds from usual municipal financing methods and from any fees or fines collected under this By-Law. The Board of Selectmen shall determine a maximum amount that shall stay in said fund, with all additional funds being turned into the General Fund.

The Board of Selectmen may determine certain salaries or expenses that may not be funded with this fund but must be appropriated through the usual municipal financing procedure, and such determination shall be binding on this administration of this fund by the Town Accountant.

20. ANTI-RABIC VACCINE AND TREATMENT

The Board of Health shall, upon application furnish free of charge to any resident who has been exposed to rabies, or may have been so exposed, anti-rabic vaccine and anti-rabic treatment, in accordance with rules and regulations which the Department of Public Health is authorized to make. Any resident shall have the right to select his own physician, who shall be paid by the Town at a rate established by the Board of Health, and the fact that a physician is a member of the Board of Health shall not disqualify him from being so selected and from being paid by the town for his services. Reimbursement for the cost of furnishing vaccine and treatment, not exceeding fifty dollars in the case of any one person, shall be made from the Dog Fund.

21. DOG LISTINGS

Persons authorized or directed by section four of chapter fifty-one or by any special law to make lists of persons three years of age or older shall make a list of all dogs owned by the inhabitants of the town at the time of

making lists required under such section and return the same in duplicate to the Town Clerk on or before April first. An owner or keeper of a dog who refuses to answer or answers falsely to persons directed or authorized to make a list of the owners of dogs shall be punished by a fine of not less than ten dollars.

22. MASSACHUSETTS GENERAL LAWS INCORPORATED INTO THIS BY-LAW

The provisions of the following sections of Chapter 140 of Massachusetts General Laws shall be incorporated into and apply to this By-Law; Section 145B, 149, 155, 155A, 156, 157, 158, 159, 160, 161A, 168, 174A, 174B, AND 174D.

23. EFFECTIVE IMPLEMENTATION DATE OF THIS BY-LAW

This By-Law shall go into effect on December 31, 1986, and until said date, all areas of Massachusetts General Laws and Sections 1, and 8 Article VIII - Miscellaneous of the Town of Chelmsford General By-Laws shall remain in effect.

24. SEVERABILITY CLAUSE

If any part, section or provision of this By-Law is found to be invalid, the remainder of this By-Law shall not be affected thereby; and I move that the Town vote to transfer and appropriate the sum of $1,000.00, from Dog Officer receipts, to fund the aforementioned article.

Pennryn Fitts explained the article. Chelmsford would have it's own By-Law concerning dogs, and be responsible for enforcing the by-law. The Board of Selectmen and the Finance Committee support the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 18 Selectman John P. Emerson Jr. moved that the Town vote to accept the provisions of General Laws, Chapter 140 Section 147A authorizing the Town of Chelmsford to enact by-laws and ordinances relative to the regulation of dogs.

Selectman Emerson explained that this would remove Chelmsford from the Middlesex County jurisdiction of mandating the Town's dog licenses, etc. Chelmsford would be responsible for it's own by-law and issue it's own licenses. The Moderator asked for a voice vote, motion carried,unanimously.

Chairman of the Board of Health Peter Dulchinos, moved to remove Article 11 from the table. Motion carried by voice vote.

Chairman of the Board of Health Peter Dulchinos, moved to dismiss Article 11 due to the funding of the closure of the Swain Road landfill being passed in Article 13.

*See ADJ ATM of 5-27-86 for action

** UNDER ARTICLE 19 Selectman John P. Emerson Jr. moved to postpone this rticle until the completion of the Special Town Meeting schedule for May 2th. The article will be acted on after article 9.

he Moderator asked for a voice vote on the motion, motion carried, unanimously.

**UNDER ARTICLE 20 Selectman John P. Emerson Jr. moved to postpone this rticle until the completion of the Special Town Meeting schedule for May th. The article will be acted on after article 19.

The Moderator asked for a voice vote on the motion, motion carried, unanimously

(Article 21 taken out of order, see beginning of this meeting)

**UNDER ARTICLE 22 Selectman John P. Emerson Jr. moved to postpone this article until the completion of the Special Town Meeting schedule for May 12th. The article will be acted on after article 20.

The moderator asked for a voice vote on the motion, motion carried, unanimously.

UNDER ARTICLE 23 Town Treasurer, James Doukszewicz, moved that the Town vote to authorize the Town Treasuer, to enter into compensating balance agreements, during fiscal 1987, as permitted by General Laws, Chapter 41.

James Doukszewicz, explained that this was a new regulation that enforced Cities/Towns to pay for the services offered by banks. In the past banks did not charge the Town for bad check's payroll services etc., as long as money accounts were kept with the bank, however, now they must charge. The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for a voice vote, motion carried, unanimously.

**UNDER ARTICLE 24 Library Trustee, Mark Gauthier, moved to postpone this article until the completion of the Special Town Meeting schedule for May 12th. The article will be acted on after article 23.

The Moderator asked for a voice vote on the motion, motion carried, unanimously.

UNDER ARTICLE 25 Chairman of the Library Trustees, Susan Cantin, dismissed the article.

UNDER ARTICLE 26 Capital Planning Member, James Doukszewicz, moved that the Town vote to transfer and appropriate the sum of one hundred and thirty seven thousand five hundred dollars ($137,500.00) from the unexpended proceeds of the School Capital Improvement Project Bond and/or note Issue, from Article 10 of the 1985 Annual Town Meeting for the purpose of the rehabilitation of the roof at the Westlands School.

Capital Planning Member, James Doukszewicz, explained that there was money left in the account earmarked for roof work, once money is set aside for certain projects, that is the only work that the money can be spent on. The Finance Committee recommend the article. The Selectman support the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 27 Selectman,John P. Emerson Jr., moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 64C Section 3A, authorizing the Town of Chelmsford to impose a local room occupancy excise at the rate of 4% to be effective July 1, 1986.

The Board of Selectman recommend the article. They felt that the town had a opportunity to raise additional revenue. The Finance Committee was against the motion. The Finance Committe felt that the figure that could be raised in question, was not a true figure, and that the Town shouldn't depend on the amount for funding. Attorney Joseph Shanahan representing the two hotel owners in Town, (The Kelley Family and Dumont Family) spoke against the article He said surrounding cities/towns do not have such a tax, and would be unfair to force such a tax on these two property owners who are already paying their fair share in real estate taxes to the Town. A lengthy discussion followed, with a number of voters speaking in favor and against the article. Selectman Ready made a motion to move the question. The Moderator asked if there was any further need for discussion. Hearing none he asked for a voice vote, motion carried.

UNDER ARTICLE 28 Acting Fire Chief, James Sousa, moved to amend the article by deleting the words, "Board of Selectmen" and replace them with the words "Chief of the Fire Department", through out the article. The Finance recommended the amendment. The Board of Selectmen were in favor. James Sousa explained the reason for his motion to the Town Meeting body. A discussion took place. William Dalton moved the question,the Moderator asked for any need for further discussion. Hearing none he asked for a voice vote on the motion to amend, motion carried. He then asked for a voice vote on the main motion, as amended, motion carried, unanimously. The article reads as follows:

Selectman,John P. Emerson Jr.,moved that the Town vote to amend the General By-Laws Article VI Police Regulations, Section 19 Prohibition on leaving Motor Vehicles in Certain Private Ways, by deleting paragraph #2 in its entirety, and substituting the following in its place:

2. It shall be unlawful to obstruct or park a motor vehicle in any fire lane, such fire land to be designated by the Chief of the Fire Department and shall be posted as such. Said fire lane to be NOT LESS THAN eighteen (18) Feet Wide for all buildings in any shopping center, bowling alley, theatre, nursing home, office building, or other public building. The establishment of fire lanes as set forth above shall be at the sole discretion of the Chief of the Fire Department and shall run from the wall of the building or any overhang of the building or any sidewalk adjacent thereto. Any fire lane in excess of eighteen (18) feet wide shall have the approval of the property owner or person in control of such property;

(a) The Chief of the Fire Department shall notify all record owners of the designation of Fire lanes.

Selectman Emerson moved to adjourn the meeting until Monday May 12th, 1986 to the McCarthy Jr. High Gymnasium. The Moderator asked for a voice vote, motion carried, the meeting adjourned at 11:05 PM.

Dennis McHugh, Moderator

Mary E. St.Hilaire,Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 12, 1986

The Adjourned Annual Town Meeting was called to order at the McCarthy Jr. High Gymnasium at 7:50 PM, by the Moderator Dennis McHugh, who recognized the presence of a quorum.. There were 505 voters present.

UNDER ARTICLE 29 Selectman John P.Emerson Jr., moved that the Town vote to accept Hart Road, as laid out by the Board of Selectmen and shown by their reports and plans duly filed in the office of the Town Clerk.

The Finance Committee and Board of Selectmen recommend the article. Motion carried, unanimously

UNDER ARTICLE 30 Selectman John P. Emerson Jr., moved that the Town vote to discontinue a portion of Russell Mill Road, as shown on a plan of land entitled, "Easement as built Plan of Land in Chelmsford, Massachusetts, prepared by Vanasse/Hangen Engineering, Inc., dated February 6, 1986, hereinafter referred to as the Plan, and I move that the Town vote to accept the portion of Russell Mill Road, as laid out by the Board of Selectmen and shown by their reports and said plan, duly filed in the office of the Town Clerk, and I move that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer, all right, title and interest, if any, held by the Town in the above parcel of the land located on the discontinued portion of Russell Mill Road, provided no abutter shall be land locked as a result of said conveyance.

The Finance Committee and Board of Selectmen recommend the article. Motion carried, unanimously.

UNDER ARTICLE 31 Selectman John P. Emerson Jr., moved that the Town vote to authorize the board of Selectmen to purchase or take by eminent domain, access easement over a parcel of land described below and owned by New England Power Company: and further to raise and appropriate, the sum of one dollar ($1.00) a sum of money for appraisal fees, engineering fees, land acquisition costs and related expenses; the said land is described as follows:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF SAID PINE STREET AT THE SOUTHEASTERLY CORNER OF THE GRANTED PREMISES AND AT LAND NOW OR FORMERLY OF HENRY E. AND MARY T. SHERMAN: THENCE RUNNING S 83 30' 35" W SEVENTY (70) FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID PARCEL: thence S 82 43' 50" E NINETY-SIX AND EIGHTY ONE HUNDREDTHS (96.80) FEET TO A POINT: THENCE S 31 30' 55"W SIXTY-NINE AND NINETY -ONE HUNDREDTHS (69.91) FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND, CONTAINING 5,809 +/- SQUARE FEET OF LAND: thence N 07° 16' 10" E eighty (80) feet to A POINT. AMENDED INFO Elizabeth DeLorey Asst. T.C.

Said parcel of land, a portion which lies in the Town of Chelmsford and the remainder lying in the Town of Billerica, Middlesex County, Massachusetts.

Said parcel is a portion of land shown as parcel #3 containing 3.03 acres as shown on Plan of Land for New England Power Company which plan is recorded in said Registry of Deeds in Book of Plans 119, Plan 152.

Selectman Emerson explained that this street starts in the Town of Billerica, and comes through to Brick Kiln Road in Chelmsford. Pending the possible traffic problems due to the UPS facility opening on Brick Kiln Road the Towns agreed to the above taking to ward off acess onto Brick Kiln Road.

The Finance Committee and Board of Selectmen recommend the article. Motion carried, unanimously.

UNDER ARTICLE 32 Selectman John P. Emerson Jr., moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title and interest, if any, held by the Town in a certain parcel of land located at 25 Fourth Avenue in Chelmsford and show as lots 62 and 63 on Assessors map 66.

Roger Clermont who abuts the property explained that he would like to extend his back yard, and by obtaining this land he would be able to do so. The Finance Committee recommend the article. The Board of Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously

UNDER ARTICLE 33 Selectman John P. Emerson Jr., moved that the Town voteto authorize the Board of Selectmen, for consideration to be determined to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 9 Alcorn Road, and being the premises taken by the Town of Chelmsford by an instrument of taking dated May 3, 1979 and recorded in Middlesex North District Registry of Deeds in Book 2364, Page 135, containing approximately 1.3 acres of land, more or less.

The Finance Committee wanted to hear from the abutting land owner before making any recommendation. The Moderator asked for the land owner to come forward and explained the purpose for the request. The land owner was not present. Elizabeth Marshall of the Finance Committee, explained that it has been the policy of the Finance Committee to only recommend selling any Town owned land after hearing the intent of the buyer. If a buyer is not present to explain the purpose, then the Finance Committee automaticly does not recommend the article. The Finance Committee did not recommend the article. The Board of Selectmen did not recommend the article. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 34 Attorney James Geary, representing the petitioner, explained the purpose of the article. The land abutts the Scotty Hollow Condominums, and if the present zoning of single residence is changed to mutiple residence then the land owners would be able to sell their land to the builder of the condominums, Robert Hicks, who wants to expand his complex. There was a question about the possibility of methane gas being located on the land, but tests have been taken and verify that the gas is not on the site. Chairman of the Planning Board, John F. McCarthy, read the following recommendation: The Planning Board conducted a public hearing on March 26, 1986, and voted to recommend in favor of this article. The vote was 6-0. Although this article is not part of the master plan, the rezoning is consistent with the intent of the master plan.
The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a voice vote, which left the chair in doubt. The following tellers came forward and a hand count was taken:

Jack Peters	John Warren	Donald Elias
Norman LeBrecque	Harry Foster	William Drury
Jean Horgan	Jacob Sartz	Jocelyn Anthony
Ed Hilliard		Estelle Decker

Hand count result Yes 155 No 175 motion defeated (see warrant for wording of the article)

Selectman John P. Emerson Jr., moved to recess the adjourned annual Town Meeting in order to conduct the Special Town Meeting which was posted to begin at 8:00 PM. The Moderator asked for a voice vote, motion carried.

SPECIAL TOWN MEETING

May 12, 1986

The Special Town Meeting was called to order at the McCarthy Jr. High Gymnasium at 8:10 PM by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 508 voters present. Selectman John P. Emerson Jr., moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman John P. Emerson Jr., moved that the reading of the entire warrant be waived. It was so voted, unanimously.

Chairman of the Conservation Commission, James McBride, moved to take article 11 out of order, and to place it first on the warrant of the Special. He explained that it would make a difference with article 2 if the Town Meeting Body knew the result of article 11. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 11 Selectman Roger Blomgren, spoke in favor of the article. Conservation Chairman, James McBride, moved to amend the article by deleting the sentence of "a fee of up to 2% on real estate transfer" and substituting the following: funded by a fee of ½% on real estate transfer, and further to place an exclusion on the first $100,000. of any sale under the provisions of said petition.

The Finance Committee was in favor of the motion to amend. A majority of the Board of Selectmen were in favor of the motion. Selectman Blomgren spoke against the motion. He felt that the article should be voted on exactly as it is, it is not necessary to amend this is just to petition the legislature at this time. Conservation Chairman, James McBride, felt that the legislature should know the exact figure before they vote on it. A lengthy discussion took place. A number of voters spoke for and against the motion to amend. The Moderator asked if there was any need for further discussion, hearing none he asked for a voice vote on the motion to amend. Motion carried. He then asked if there was any need for more discussion on the main motion as amended, motion carried. The article reads as follows:

Selectman John P. Emerson Jr., moved that the Town vote to direct the Board of Selectmen to petition the great and General Court of the Common wealth of Massachusetts to enact special legislation establishing a land bank program for the purchase of real estate interest for conservation or preservation of open space, wetlands, water resource areas, agricultural areas, wildlife areas or for active and passive recreation areas, and for the management of these and existing areas owned by the Town, funded by a fee of ½% on real estate transfer, and further to place an exclusion on the first $100,000.00 of any sale under the provisions of said petiton, said land bank to be administered by the Conservation Commission, said bill, when approved by the legislature and signed into law by the Governor, to be approved in its final form by the voters at an annual or special town meeting in order for it to be implemented or at the State and/or Local elections in the form of a ballot question.

Chairman of the Conservation James McBride, moved to take article 2 out of order, and place it next on the agenda. The Board of Selectmen and the Finance Committee recommended the motion. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 2 Conservation Chairman, James McBride, spoke about the article. He explained the importance of obtaining open space in the Town. He showed a brief slide show of the Cranberry Bog, showing the wildlife and surroundings. He also expressed the importance of having the bog because of our need for future water. The present owner at one time did offer to sell the bog to Chelmsford, and the town did not express any interest at the time. Now there is a possibility that a developer may obtain the land and build on it in both Chelmsford and Carlisle. The Commission intends to apply under the self help program for an 80% grant. If funded through this program,then the Town will receive back 80% reimbursement. If the Town doesn't receive the grant, then we will use the monies available from the land bank, to pay the interest payment for a bond. The first year of payment will come from the land acquistion account. The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for the need to hear further discussion on the article. Hearing none he asked for a voice vote, motion carried, unanimously. The article reads as follows:

Conservation Chairman James McBride, moved that the Town vote to authorize the Board of Selectmen, to acquire in fee simple, by purchase, by eminent domain, or otherwise, the property located in the Town of Chelmsford and further described and shown on a plan entitled, "Compiled Plan of land in the Town of Chelmsford " prepared by, April 23, 1986, scale 1" = 100' by James E. Pearson. P.E. Chelmsford Town Engineer, copy of which is on file in the office of the Town Engineer and is incorporated herewith, for the purpose of maintaining conservation and open space, land within the Town of Chelmsford with said land being held, managed and controlled by the Conservation Commission for the promotion and development of the land for the above purposes, and further, I move that the Town vote to authorize the Conservation Commission to enter into a contractual self-help agreement with the office of Environmental Affairs, to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking, and further, I move that the Town vote to, borrow, and the sum of eight hundred sixty-three thousand dollars ($863,000.00) and to autnorize authorize the Selectmen to transfer and appropriate the sum of sixty-two thousand dollars ($62,000.00) from the Conservation Trust Fund, to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

UNDER ARTICLE 1 Chairman of the Conservation Commission James McBride, moved to dismiss the article. He explained that by passing article 2 there is no need for this article. The Finance Committee and the Board of Selectmen are in favor of the motion to dismiss. The Moderator asked for a voice vote, motion carried, to dismiss.

UNDER ARTICLE 3 The Moderator explained that the consultants hired by Town to draft the Master Plan were present at the Meeting and the Planning Board requested permission from the Town Meeting Body to allow them to explain the different up coming articles. The Moderator asked for a voice vote on the motion. Motion carried. Chairman of the Planning Board, John McCarthy explained that two years ago the Town Meeting Body voted to allow the Planning Board to hire a consultant firm to update the zoning by-law and map. The Planning Board hired Weston & Sampson, and a Master Plan Committee was formed and together the group prepared the proposed changes. Tom Della of Weston & Sampson explained the article. Chairman of the Planning Board John McCarthy moved to amend the article by deleting subsection E in its entirety. Which would allow the Board of Appeals to continue to grant variances. And to correct a Typo error under the Intensity of Use Schedule Exhibit "A" Minimum Lot Requirements area should read 1000 sq. ft. not as presented with the wording 100 sq. ft. He then read the Planning Boards recommendation: The Planning Board conducted a Public Hearing on May 8, 1986 and voted to recommend in favor of this article and unanimously voted to make the following amendments: (6-0)

Article 3 Section 2- by deleting subsection e in its entirety. Article 3 26000 Intensity of Use Schedule by deleting 100 sq.ft. from the minimum lot requirements and substituting 1,000 sq. ft. in its place.

The Finance Committee and Board of Selectmen were in favor of the motion to amend. A discussion took place. The Moderator asked for a voice vote on the motion to delete section E, which left the chair in doubt the tellers came forward and a hand count was taken: Yes 218 No 66, motion carried. The Moderator asked for a voice vote on the motion to correct the Intensity of Use Schedule, motion carried. The Finance Committee and the Board of Selectmen both recommended the main motion as amended. Selectman Emerson moved to amend section 2300 Use Regulations Institutional Uses- Cemetery - Delete the P under RMH District and insert O. The Moderator asked for a voice vote on the motion to amend. Motion Carried, unanimously. Pauline Crowell who owned land in a CD district and had made arrangements after two years of negotiating to put a furniture store on her property which had been allowed according to the zoning by-laws. After reading the public hearing advertisement she finds that this is not going to be allowed in the CD district, and wanted an explanation as to when the change took place and why. She didn't feel that this was fair and asked the Town Meeting Body to support her. Town Counsel James Harrington moved to recess the meeting for ten minutes in order to research the answer to the change. The Moderator asked for a voice vote on the motion to recess. Motion carried, the meeting recessed at 10:00 PM. At 10:10 PM the Moderator reconvened the meeting and Town Counsel gave an explanation: The warrant as posted and the motion as written reflected the correct information of "P(4)" under the CD district, however, the Public hearing advertisement was incorrect, and should not have "O" under the CD district. Therefore Pauline Crowell will be allowed to proceed with her plans to appear before the Planning Board and present the information required to allow a furniture store in the CD district.

Chairman of the Planning Board read the Board's recommendation. The Planning Board conducted a public Hearing on May 8, 1986 and voted to recommend in favor of this article unanimously.

The Moderator asked for a voice vote on the main motion as amended, which left the chair in doubt, the tellers came forward and a hand count was taken Yes 180 No 73 motion carried.

Article 3 in its entirely reads as follows:

Chairman of the Planning Board, John McCarthy, moved that the Town vote to amend the Zoning By-Law of the Town of Chelmsford as follows:

1. Amend Article I - Administration and Procedure, Section 1200 Administration, by adding the following subsection 1250:

1250. Application Procedure: Special Permits or Variances

An application to the Board of Appeals or Planning Board for a special permit or variance may be made by any person desiring such action by filing with the appropriate Board the prescribed application which shall describe the request and contain such information as may be required by this By-Law and accompanied at the time of filing by a plot plan drawn to scale showing the location of all lot and street lines, existing and proposed structures, utilities, wells, sewage disposal systems of the property which is the subject of the appeal or application. All applications shall be accompanied by a plat map showing lot and street lines and approximate location of structures on premises adjacent to the property which is the subject of the application.

2. Amend Article I - Administration and procedure, Section 1300 Board of Appeals, by deleting subsection 1322, in its entirely, and substituting the following in its place:

1322. To hear and decide appeals or petitions for variances from the terms of this By-Law with respect to particular land or structures. Such variance shall be granted only in cases where the Board of Appeals finds all of the following:

(a) A literal enforcement of the provisions of this By-Law would involve a substantial hardship to the petitioner or appellant.

(b) The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not effecting generally the zoning district in which it is located.

(c) Desirable relief may be granted without either:

(1) substantial detriment to the public good;
or
(2) nullifying or substantially derogating from the intent or purpose of this By-Law.

(d) The Board shall determine the conformance of any application for a variance with the Master Plan and shall consider the effect of the variance on the future development of the Town.

3. Amend Article I - Administration and Procedure, by deleting subparagraph (o) of subsection 1424. Application for Special Permit and Site Plan, in its entirety and substituting the following subparagraph (b) in its place:

(b) The contents of the site plan are as follows:

(1) Four separate plans prepared at a scale of one inch equals 20 feet or such other scale as may be approved by the Planning Board. The four plans are as follows:

(a) Site layout which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, landscaping, screening, fences, walls, walks, outdoor lighting, and loading facilities.

(b) Topography and Drainage Plan which shall contain the existing and proposed final topography at two foot intervals and plans for handling stormwater drainage.

(c) Utility and Landscaping Plan which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and fire fighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including flood plain areas.

(d) Architectural Plan which shall include the ground floor plan and architectural elevations of all proposed buildings.

(2) A landscaping plan at the same scale as the site plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including planting areas with size and type of stock for each shrub or tree.

(3) An Isometric line drawing (projection) at the same scale as the site plan, showing the entire project and its relation to existing areas, building and roads for a distance of feet from the project boundaries.

(4) A locus plan at a scale of one inch equals 100 feet (1" equals 100'), showing the entire project and its relation to existing the entire project and its relation to existing areas, buildings and roads for a distance of 1,000 feet from the project boundaries or such other distance as may be approved or required by the Planning Board.

4. Amend Article I - Administration and Procedure, subsection 1424. Application for Special Permit and Site Plan, by adding the following subparagraph (i):

(i) Topography shall be prepared by using actual elevations of the Town of Chelmsford's Topographic Maps, 1976.

5. Amendment Article I - Administration and Procedure, Section 1420 Site Plan Review, by adding the following subsection:

1428. Any easement, covenant or agreement that is required as a result of the site plan review shall be recorded in the Registry of Deeds.

6. Amend Article II - District Regulations, by deleting Section 2100. Establishment of Districts, in its entirety, and substituting the following in its place.

2100. Establishment of Districts
For the purpose of this By-Law, the Town of Chelmsford is hereby divided into the following types of districts:

RA - Residential A District These are single family residence districts which are adjacent to well sites or are environmentally sensitive because of the water table and wetlands. These areas are not slated for sewers anytime in the near future and need to be protected. These areas should not be intensively developed.

RB - Residential B District These are low density single family residential areas in which some utilities are lacking. These areas comprise a major type of residential development in the Town.

RC - Residential C District These are medium density general residence districts which serve as transition zones within the Town.

RM - Residential Multi-Family District These are high density residential districts.

CA - Neighborhood Commercial District Theses are commercial districts for neighborhood areas.

CB - Roadside Commercial District These are general commercial districts which are high traffic generators. Included are such uses as automotive repair, open lot sales, wholesale business, storage and so on.

CC - Shopping Center District These are commercial districts designed to allow the clustering of stores, offices and so on around a central parking area. These are high traffic generators usually located on major roads.

CD - General Commercial District These are primarily retail commercial offices, restaurants and entertainment commercial uses excluding repair, open lot sales, wholesale and storage uses. These uses are usually located along existing major traffic throughfares.

CX - Adult Entertainment Districts These are commercial districts created for adult entertainment establishments and other permitted uses as defined by this By-Law.

IA - Limited Industrial District These are areas that are primarily used for research development, manufacturing and warehousing with the necessary office space.

IS - Special Industrial District These districts are open to all industrial uses but are suited for heavy industrial and storage.

P - Public District These are lands owned or leased by federal, state or municipal governments for governmental purposes.

OS - Open Space District These are privately owned lands dedicated to recreational uses.

RMH - Residential Mobile Home District These are districts created in accordance with the provisions of this ordinance.

7. Amend Articles II - District Regulations, Section 2100. Establishment of District, by adding the following subsections 2110. Official Zoning Map, and, 2120. Rules for Interpretation of Zoning District Boundaries:

2110. Official Zoning Map. The Town is hereby divided into Zoning "Districts also referred to as Zones as shown on the Official Zoning Map, which together with all explanatory material, thereon, is hereby adopted by reference and declared to be part of this By-law. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Selectmen, and attested by the Town Clerk bearing the Seal of the Town. The Official Zoning Map is included as originally dated May, 1963 and as most recently amended.

2120. Rules for Interpretation of Zoning District Boundaries. Where uncertainties exist as to the boundaries of districts as shown on the official zoning maps the following shall apply:

(a) where the boundary lines as shown upon said map as approximately following the street lines of public and private ways or railways, the centerlines of such ways shall be the boundary lines.

(b) where the boundary lines are shown approximately on the location of property lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.

(c) boundary lines located outside of street lines and shown approximately parallel thereto shall be regarded as parallel to such street lines, and dimensions shown in figures places upon said map between such boundary lines and street lines are the distance in feet of such boundary lines from such street lines; such distances being measured at right angles to such street lines unless otherwise indicated.

(d) in all cases which are not covered by other provisions of this section, the location of boundary lines shall be determined by the distance in feet, in given, from other lines upon said map, by the use of identifications as shown on tne map, or by the scale of the map.

(e) where the district boundary lines follows a stream, lake or other body of water, said boundary line shall be constructed to be at the thread or channel of the stream; or at the limit of the jurisdiction of the Town of Chelmsford, unless otherwise indicated.

(f) where a district boundary line divides any lot existing at the time such line is adopted, the regulations of any district in which the lot has frontage on a street may be extended by special permit from the Board of Appeals not more than thirty feet into the other district.

(g) where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances not covered by the above subsections, the Board of Appeals shall interpret the district boundaries.

8. Amend II - District Regulations, by deleting Section 2300 Use Regulations Schedule, in its entirety, and substituting the following in its place:

	RA	RB	RC	RM		CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Business Uses See Sec. 4500 for Major Business Complexes															
Retail stores and services not elsewhere listed	O	O	O	O		P(1)	P(4)	P(4)	P(4)	O	O	O	O	O	O
Motor Vehicle Sales	O	O	O	O		O	P	O	O	O	O	O	O	O	O
Motor Vehicle Rental	O	O	O	O		O	P	O	O	O	O	O	O	O	O
Motor Vehicle General Repair	O	O	O	O		O	P(4)	O	O	O	BA	O	O	O	O
Motor Vehicle Light Service(2)	O	O	O	O		O	P(4)	BA	BA	O	O	O	O	O	O
Motor Vehicle Parts (No Services)	O	O	O	O		O	P	P	P	O	O	O	O	O	O
Motor Vehicle Body Repair	O	O	O	O		O	P(4)	O	O	O	BA	O	O	O	O
Restaurant	O	O	O	O		O	P(4)	P(4)	P(4)	O	O	O	O	O	O
Fast Food Establishment	O	O	O	O		O	BA	BA	O	O	O	O	O	O	O
Business, Professional Offices	O	O	O	O		P(1)	P	P	P	P	O	O	P	O	O
Medical Center, Clinic	O	O	O	O		O	P	P	P	P	O	O	O	O	O
Bank, Financial Agency	O	O	O	O		O	P(4)	P(4)	P(4)	O	O	O	P	O	O
Indoor Commercial Recreation	O	O	O	O		O	P(4)	P(4)	BA	O	O	O	O	BA	P
Outdoor Commercial Recreation	O	O	O	O		O	O	O	O	O	O	O	O	BA	P
Fairs, Carnivals, Similar Events (See Section 4300)	O	O	O	O		O	BA	BA	BA	BA	BA	O	O	O	BA
Animal Clinic or Hospital	O	O	O	O		O	P	P	P	P	O	O	O	O	O
Animal Kennel	O	O	O	O		O	O	O	O	BA	O	O	O	O	O
Funeral Home	O	O	O	O		O	P	O	P	O	O	O	O	O	O
Nursing or Convalescent Home	O	O	O	BA		O	BA	O	O	O	O	O	O	O	O
Adult Entertainment Establishment (See Section 4600)	O	O	O	O		O	O	O	O	O	O	O	BA	O	O
Motel or Hotel	O	O	O	O		O	P	PB	PB	O	O	O	O	O	O
Industrial Uses See Sec. 4500 for Major Business Complexes															
Earth Removal (See Sec. 4200)	O	O	O	O		O	O	O	O	BA	BA	O	O	O	O
Light Industry	O	O	O	O		O	O	O	O	P	P	O	O	O	O
Pedestrian and Vehicular Access and Egress by Private Way to and from uses permitted in an IA District	O	O	O	O		O	PB	O	O	P	O	O	O	O	O
Warehouses and Open Storage	O	O	O	O		O	O	O	O	BA	P	O	P	O	O
Junk Yard	O	O	O	O		O	O	O	O	O	O	O	O	O	O
Contractor's Yard	O	O	O	O		O	BA	O	O	O	P	O	O	O	O
Granite Operations	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Public Utility or Public Works Storage Yard or Repair Shop	O	O	O	O		O	BA	O	O	P	P	O	P	BA	O
Research, Experimental and Testing Lab	O	O	O	O		O	O	O	O	P	O	O	O	O	O
Solid Waste Disposal Facility	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Sanitary Landfill	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Refuse Incinerator	O	O	O	O		O	O	O	O	O	BA	O	O	O	O
Transport Terminal	O	O	O	O		O	O	O	O	O	P	O	O	O	O
Institutional Uses See Sec. 4500 for Major Business Complexes															
Religious Purposes	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Educational Purposes															
Exempt by Statute	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Other Nursery Schools	BA	BA	BA	BA		BA	P	O	O	O	O	BA	O	O	O
Other Schools	O	O	O	O		P	P	P	P	P	O	O	O	O	O
Cemetery	P	P	O	O		O	O	O	O	P	O	O	O	P	O
Municipal Building Except Garages, Storage or Repair Shops	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Hospital	O	BA	BA	BA	A	O	P	O	O	O	O	O	O	O	O
Other Public or Semi-Public Institution of a Historic, Philanthropic, or Charitable Character	BA	BA	BA	BA	A	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA

2300 USE REGULATIONS

	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Recreational Uses														
Club or Lodge	O	BA	BA	BA	O	P	BA	P	O	O	O	O	BA	P
Riding Academy or Public Stables	O	BA	O	O	O	BA	O	O	O	O	BA	O	BA	BA
Boathouse, Private	P	P	P	PB	P	P	P	P	P	P	P	O	O	P
Boathouse, Public	O	O	O	P	O	O	O	O	O	O	O	O	O	P
Golf Course	BA	BA	BA	BA	BA	BA	BA	BA	O	O	BA	O	O	BA
Campground	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Residential Uses														
Single-family Dwelling	P	P	P	P	O	O	O	O	O	O	O	O	O	O
Two-Family Dwelling	O	O	P	P	O	O	O	O	O	O	O	O	O	O
Multi-Family Dwelling	O	O	O	PB	O	O	O	O	O	O	O	O	O	O
Conversion of Dwellings (see Sec. 2560)	O	BA	P	BA	O	O	O	O	O	O	O	O	O	O
Boarding House	O	O	P	O	O	P	O	P	O	O	O	O	O	O
Mobile Home	O	O	O	O	O	O	O	O	O	O	P(6)	O	O	O
Cluster Development	PB	PB	O	O	O	O	O	O	O	O	O	O	O	O
Rural Uses														
Farm, 5 acres or more	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Farm, under 5 acres(3)	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Wood Operation	O	P	O	O	O	O	O	O	P	P	P	O	O	O
Other Principal Uses														
Airport	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Accessory Uses See Sec. 4500 for Major Business Complexes														
Family Day Care Home	P	P	P	O	O	O	O	O	O	O	P	O	O	O
Business Daycare	O	O	O	O	O	O	O	O	BA	BA	O	O	O	O
Home Occupation (See Sec. 4110)	BA	BA	BA	BA	P	P	P	P	P	P	BA	O	O	O
Mobile Home Storage	O	O	O	O	O	O	O	O	O	O	O	O	O	O
Roadside Stand	O	P(8)	P	P	P	P	P	P	P	P	P	O	O	O
Barn Sale, Garage Sale, Yard Sale, Flea Market (see Sec. 4130)	P	P	P	P	P	P	P	P	P	P	P	O	P	O
Scientific Uses (see Sec. 4140)	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	O	BA	O
Retail sale of goods, the majority of which are produced or undergo major processing on the premises	O	O	O	O	O	P	O	O	BA(7)	BA(7)	O	O	O	O
Adult Entertainment Establishment (see Sec. 4600)	O	O	O	O	O	O	O	O	O	O	O	BA	O	O
Temporary Structure	P	P	P	P	P	P	P	P	P	P	P	O	O	O
Parking Garage	O	O	O	O	O	BA	BA	BA	BA	BA	O	O	O	O

NOTES FOR USE REGULATIONS SCHEDULE:

1. No structure shall exceed 3,000 sq. ft. gross floor area.
2. Provided there are no structures, pumps, or fuel storage tanks within 50 feet of a residential lot or residential district.
3. Provided that there are neither hogs nor fur-bearing animals.
4. Except "BA" if resulting in more than 10,000 sq. ft. gross floor area devoted to business uses on the premises.
5. Maximum seating capacity shall be 30 and no alcoholic beverages shall be sold or consumed on the premises.
6. Intensity of use shall be limited to permit a maximum of 7 units per acre and a maximum of 254 units per RMH District.
7. Retail outlet not to exceed 1,000 sq. ft. or 10% of the G.F.A., whichever is less.
8. No roadside stands permitted in Historic District(s).

KEY:

P = A permitted use.
O = An excluded or prohibited use.
BA = A use authorized under Special Permit for exception from the Board of Appeals as provided for in Section 1500.
PB = A use authorized under a Special Permit for exception from the Planning Board as provided for in Section 1500.

9. Amend Article II - District Regulations, Section 2400. Nonconforming Uses. by deleting suosection 2440. Restoration, in its entirety, and substituting the following in its place.

2440. Restoration or Rehabilitation. No non-conforming structure, other than a single or two-family dwelling, damaged by fire, storm or other accidental causes to the extent of more than seventy-five percent of its replacement value or to the extent of being dismantled more than seventy-five percent for rehabilitation purposes shall be repaired or rehabilitated except in conformity with this By-Law, and provided further that such restoring shall be completed within two years after such catastrophe.

10. Amend Article II - District Regulations, Section 2500 Intensity of Use Regulations, by deleting subsection 2520. Lot change in its entirety and substituting the following in its place.

2520. Lot Change. No lot shall be created, nor shall an existing lot be changed in size or shape except through a public land taking or donation for road widening, drainage, utility improvements or except where otherwise permitted herein, so as to increase the degree of non-conformity that presently exists.

11. Amend Article II - District Regulations, Section 2500. Intensity of Use Regulations, by deleting subsection 2530. Isolated Lots, in its entirety and substituting the following in its place.

2530. Isolated Lots. Any increase in lot areas, width, depth, frontage, yard or coverage requirements of this By-Law shall not apply to erection, extension, alteration, or moving of a structure on a legally created lot not meeting current requirements provided that the applicant documents that,

(a) At the time such increased lot requirements became applicable to it, the lot:

(1) had at least 5,000 sq. ft. of lot area and 50 feet of frontage on a street; and

(2) was held in ownership separate from all other lots having frontage within 1,000 feet; and

(3) conformed to then existing dimensional requirements; and

(b) the lot is to be used for single-family or non-residential use.

Such non conforming lots may be changed in size or shape or their land area recombined without losing this exemption, so long as the change does not increase the actual or potential number of building lots.

12. Amend Article II - District Regulations, Section 2500. Intensity of Use Regulations, by deleting subsection 2540. Accessory Buildings., in its entirety and substituting the following in its place.

2540. Accessory Buildings. No accessory building or structure except a permitted sign or roadside stand, shall be located within a required front yard area. A detached accessory building may be located in the rear yard areas and on the same lot as a principal building, provided that not more than twenty-five percent of the required yard area shall be so occupied, and further provided that an accessory building shall not be located nearer than ten feet from the principal building and at least ten feet from any side or rear lot line. An accessory building attached to its principal building or within ten feet of it shall be considered an integral part thereof and as such shall be subject to the front, side, and rear yard requirements applicable to the principal building.

13. Amend Article II - District Regulation, Section 2500. Intensity of Use Regulations, by deleting subsection 2550. Erection of more than one principal building on a lot, in its entirety and substituting the following in its place.

2550. Erection of More Than One Principal Building on a Lot No more than one principal residential building shall be permitted on a lot except in the case of motels, hotels, mobile home parks and multi-family structures which shall be reviewed by the Planning Board in accordance with Section 1420 - (Replace)Site Plan Review. In any commercial or industrial district, more than one principal building or structure may be erected or moved onto a lot provided that area, frontage, lot coverage and yard requirements can be met as though each structure were located on an individual lot, and provided that the plans therefore are reviewed by the Planning Board in accordance with Section 1420.

14. Amend Article II - District Regulations, by deleting Section 2600. Intensity of Use Schedule in its entirety and substituting the following in its place:

See Exhibit "A" attached hereto and incorporated herewith

15. Amend Article II - District Regulations Section 2740. District Use Regulations. by deleting subsection 2742. being the third subsection of Section 2740. District Use Regulations. in its entirety, and substituting the following in its place:

2742a. In the floodway, designated on the Chelmsford Flood Plain and Floodway District Map, the following provisions shall apply:

1. All encroachments including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.

2. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.

2600. Intensity of Use Schedule (I)

EXHIBIT "A"

	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	CX	P/OS
Minimum Lot Requirements												
Area (1000sq. ft) (g)	60	40	20	40(a)	20	40	100	10	40	40(b)	40	20
Width (feet)	150	150	125	150	125	150	200	50	150	150	150	125
Depth (feet)	150	150	125	150	125	0	200	0	150	150	0	125
Frontage (feet)	150	150	125	150	125	150	200	50	150	150	150	125
Minimum Yard Requirements												
Front (feet) (c)	40	40	20	40	20	60	60	20	40(f)	40(f)	60	20
Side (feet)	25	25	12	25(d)	10(e)	30(e)	30(e)	10(e)	40(f)	40(f)	30(e)	10(e)
Rear (feet)	30	30	20	30(d)	10(e)	20(e)	30(e)	10(e)	30(f)	30(f)	20	10
Maximum Building												
Coverage (percent)	10	15	20	15	15	30	30	40	40	30	30	15
Height (feet)	35	35	45	35	35	45	35	45	45	45	45	35
Minimum % of Lot Area												
Landscaped Open Space	0	0	10	10	10	10	10	10	10(h)	10(h)	10	10
Located in Front Yard	0	0	0	5	5	5	5	5	5	5	5	5

Footnotes to Intensity of Use Schedule

a. For multi-family dwellings, not less than 80,000 square feet or 6,000 square feet per dwelling unit, whichever is greater.

b. For Solid Waste Disposal Facility, Sanitary Landfill, Refuse Incinerator or Granite Operations, the minimum shall be 10 acres.

c. Corner lots shall maintain front yard requirements for each street frontage.

d. Increase by 20 feet where abutting an RA or RB District. At least 20 feet of any or all such yards abutting an RA or RB District shall be landscaped open space or natural screening subject to Section 3423 of this Bylaw.

e. Increase by 20 feet when abutting a residential district. Required side and rear yards abutting any residential district shall be landscaped open space and screened subject to Section 3423.

f. Increase to 100 feet when abutting a residential district; 20 feet of this shall be landscaped open space and screened subject to Section 3423.

g. For non-family accommodations, increase minimum lot area by 10% for each person accommodated in excess of eight.

h. Required to be located in front yards.

i. Municiple waste-water pumping stations for any sewer system with the Town of Chelmsford shall not be subject to lot, yard, or coverage requirement.

3. If a property owner questions the location of a Flood Plain or Floodway District, the owner may engage at his own cost a Registered Licensed Surveyor with the approval of the Town Engineer to determine if the land in question is within the Flood Plan or Floodway District. The Town may charge the landowner for all or part of the cost for this determination.

16. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, subsection 3120. Number of spaces, by deleting the first paragraph in its entirety and substituting the following in its place.

3120. Number of Spaces For the purpose of computing the parking requirements of different uses, the number of spaces required shall be the largest whole number obtained after increasing all fractions upwards to one. Employees shall include the largest number of owners, managers, full and part-time workers and volunteers that may be normally expected on the premises during any single shift or portion thereof. The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at 20 inches for each seat. Parking spaces shall be no less than 8.5 feet in width and 19 feet in length. The following minimum parking requirements shall apply to uses as listed below:

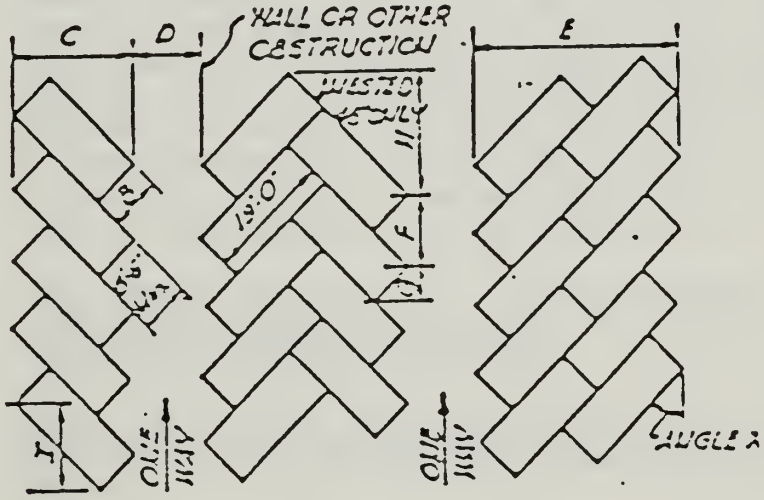
17. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, by adding the following subsection 3121. Size of Parking Area and 3122. Handicapped Parking Areas.

3121. Size of Parking Area

(a) The area of the parking lot shall be determined by the following table.

STALL AND AISLE DIMENSIONS

Angle X	B	C	D	E	F	G	H	I
30	8.5	16.9	11.0	26.4	17.0	4.3	23.8	16.5
45	8.5	19.4	13.5	32.9	12.0	6.0	19.4	13.4
60	8.5	20.7	18.5	37.2	9.8	7.4	13.8	9.5
70	8.5	20.8	19.5	38.6	9.0	8.0	9.4	6.5
80	8.5	20.2	24.0	38.9	8.6	8.4	4.8	3.3
90	8.5	19.0	27.0	38.0	8.5	8.5	0.0	0.0



STALL AND AISLE DIAGRAM

(b) If a property owner can demonstrate to the satisfaction of the Planning Board/Builder Inspector that the required number of spaces will be not be needed for the purposed use, the Planning Board may waive some of the required spaces on the condition that the area necessary for those spaces is available on the lot. If, anytime after the property is in use, the Building Inspector determines that a need exists for the additional spaces, the Building Inspector may require that these spaces be added.

3122. Handicapped Parking Areas. Article VI Police Regulations of the Town of Chelmsford General By-Laws, entitled Section 20 Prohibition on unauthorized Parking in Designated Handicapped Parking Spaces in Private or Public Ways, is incorporated herein.

18. Amend Article III - General Regulations, Section 3100. Off Street Parking and Loading, by deleting subsection 3141. in its entirety, and adding the following subsection in its place.

3141. No off street parking area shall be located within 20 feet of a street right of way, or in any required yard adjacent to a residential or institutional use.

19. Amend Article III. General Regulations, Section 3100. Off Street Parking and Loading, by adding the following subsection.

3146. Parking Garages. An application for a special permit for a parking garage shall require the submission of a site plan in conformance with Section 1420. Site Plan Review. No parking garage shall exceed three stories in height (35 feet), and when taken in consideration with the principal structure, shall not exceed the lot coverage for the applicable zoning district.

20. Amend Article III - General Regulations, subsection 3351. Overspill, by adding the following subparagraph (e)

3351. (e) Exterior lighting fixtures other than signs are mounted not more than 20 feet high.

21. Amend Article III - General Regulations, Section 3400. Grading and Screening, by deleting subsection 3423., in its entirety and substituting the following in its place.

3423. Screening in this context shall mean any of the following items:

(a) an area 10 feet wide or wider when specified, densely planted and maintained with a double row of compact evergreen trees 6 feet or more in height when planted; the area between the ground and a point 6 feet above the ground shall be maintained as the trees mature to insure a dense screening;

(b) a wall 6 feet high;

(c) a fence, 6 feet high, 50 percent opaque;

(d) an earthen berm at least 42 inches in height, with a fence or vegetation to reach 6 feet in height;

(e) an equivalent visual screening by building placement, natural vegetation or difference in elevation between potential viewers and the screened areas.

Where necessary, lower elements shall be used for egress visibility.

22. Amend Article IV - Special Regulation, by deleting subsection 4160. Animals Accessory to Dwellings, and substituting the following in its place:

4160. Animals Accessory to Dwelling. Cattle, horses, sheep, hogs, goats, gamebirds, or similar livestock may be maintained accessory to a dwelling only on a lot having an area of not less than 40,000 square feet plus 15,000 square feet per large animal (25 pounds or heavier at maturity) in excess of one or per ten smaller animals in excess of the first ten. Such animals and their wastes shall be contained at least 50 feet from any abutting lot line of a residentially used lot, and at least 50 feet from any year-round surface water body.

23. Amend Article IV - Special Regulations, by deleting subsections 4542 and 4543 in their entirety and substitute the following subsections 4542. and 4543.,in their place.

4542. As part of the site plan review process, the applicant shall submit, at his cost, a report by a licensed engineer on the impact of traffic from the proposed development on the existing conditions. This report shall contain: an analysis of the present situation, the potential traffic resulting from the development, the impact of new traffic resulting from the development, the impact of new traffic on the existing road conditions and capacities. Capacity of the road (s) affected by the proposed development shall be determined by using the definitions and methods of estimation as outlined by the Highway Research Board Highway Capacity Manual, 1965 or later editions. If the study shows that there will be an increase in traffic above the present level of services at any point within one mile of the premises, the engineer shall prepare alternative techniques to maintain the same level of service.

4543. Design of storm sewers, retention basins and general site plan design shall be based on a ten-year frequency storm. Design of culverts shall be based on a twenty-five

year frequency storm. Consideration shall be given to damage avoidance for a 100-year storm. There shall be no net increase of runoff above current flows, and the design capacity of receiving structures or the channel capacity of receiving streams shall not be exceeded.

24. Amend Article IV - Special Regulations by adding the following subsections, 4450. Density Bonus, and 4451:

4450. Density Bonus. For every one unit in ten set aside for low and moderate income persons and families in a multifamily housing project, the applicant may apply and the Planning Board may grant a bonus of one additional unit.

To apply the applicant shall demonstrate to the Planning Board that:

(a) The rent required for the unit set aside shall meet the affordable rents established by the Department of Housing and Urban Development for the Chelmsford area; and

(b) The unit set aside shall be made available to low and moderate income persons and families for a period of no less than ten years; and

(c) The low and moderate income level shall be as defined by the Department of Housing and Urban Development for the Chelmsford area.

4451. The applicant shall work with the Housing Authority to rent units to eligible persons and families.

25. Amend Article V - Definitions by deleting the definitions of farm, fast food restaurant, motel or hotel, outdoors commercial recreation, temporary structure, and warehouse, and open storage in their entirety, and substitute the following in their respective places.

Farm: Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, dairy products and game foul. It includes necessary farm structures within the prescribed limits of

the storage of equipment used. It excludes the raising of fur bearing animals, hogs, riding academies, livery or boarding stables and dog kennels.

Fast Food Restaurant: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off premises and usually requires ordering food at a counter.

Motel or Hotel: A building or group of buildings providing accommodation for compensation on a transient basis, but not meeting the definition of "Boarding House". Accommodations individually having a stove and either or both a refrigerator and sink shall be considered dwelling units.

Outdoor Commercial Recreation: Drive-in theater, golf driving range, miniature golf, race track, amusement park, professional sports stadium, or similar commercial recreation conducted in whole or in part outdoors.

Temporary Structure: A structure without any foundation or footings to be removed within a 12 month time period. Said structure shall conform to the requirements of the Intensity Schedule of Section 2600 and shall receive a permit from the Building Inspector.

Transport Terminal: Terminal facilities for handling freight with or without maintenance facilities.

Warehouse: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

26. Amend Article V - Definitions by adding the following definitions:

Animal Clinic or Hospital: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

Boarding House: A dwelling or part thereof in which lodging is provided by the owner or operator to more than four boarders. Where four or more unrelated individuals rent a dwelling, it shall be considered a boarding house.

Business Daycare: An accessory school operated on a regular basis designed to provide daytime care or instruction of children five years of age and under. This service is limited to the employees of the firm sponsoring it, or the employees working in the structure where the business day care is located.

Hazardous Material: Any substance which is listed in, but not limited to, the EPA Priority Pollutants as described in Section 307 (a) of the Clean Water Act, as amended.

Impervious: Any area impenetrable by surface water.

Kennel: An establishment in which more than three dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold located on at least five (5) acres of land.

Motor Vehicle Body Repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle bodies, including fenders, bumpers and similar components of motor vehicle bodies, but does not include the storage vehicles for the cannibalization of parts.

Open Lot Storage: Outdoor storage of bulk goods and products for distribution but not for sale on the premises.

Parking Garage: A structure which is accessory to a commerical or industrial establishment and is primarily for the parking and storage of vehicles operated by the customers, visitors and employees of such an establishment.

Recharge Area: An area of geologic deposits through which water from the surface can infiltrate through the soil to the groundwater. These geologic deposits generally consist of stratified sand and gravels.

Refuse Incinerator: An engineered apparatus with grate area in excess of ten square feet used to burn waste and in which all combustion factors, temperature, retention time, turbulence and combustion can be controlled which is approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health.

Salvage Yard: Property where motor vehicles are junked dismantled or stored for later dismantling or distribution.

Sanitary Landfill: A site for solid waste disposal approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health. Disposal of raw sewage and similar waste items are not permitted.

Solid Waste Disposal Facility: Refuse transfer station, composing plant, solid waste recycling operation and any other works or use approved by the Massachusetts Department of Public Health and the Board of Health of the Town of Chelmsford for processing, handling, treating, and disposing of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items, and sludges but not raw sewage, and similar waste items.

Toxic Materials: A combination of pollutants including disease carrying agents, which after discharge and upon exposure, ingestion, inhalation, and assimilation into any organism can cause death, disease, mutations, deficiencies, or malfunctions in such organisms or their offspring:

UNDER ARTICLE 4 Planning Board Chairman, John McCarthy, moved that the Town vote to amend the Chelmsford Zoning By-Law by deleting the present Zoning Map and substituting the redrafted Map proposed by the Planning Board, as filed with the Town Clerk, entitled future land use/ proposed zoning Map, Weston and Sampson Engineers, Inc., April 23, 1986 and displayed at the Town Meeting.

John McCarthy then read the Planning Board's recommendation:
The Planning Board conducted a Public Hearing on May 8, 1986 and voted to recommend in favor of this article. The vote 6-0.
The Finance Committee and the Board of Selectmen recommend the article.
Motion Carried, unanimously.

UNDER ARTICLE 5 Chairman of the Planning Board,John McCarthy, moved that the Town vote to amend the zoning by-law of the Town of Chelmsford by adding the following Section 4700 Residential Cluster Development:

4700. RESIDENTIAL CLUSTER DEVELOPMENT

4700. Intent. Residential Cluster Developments, hereinafter known as RCD, may be allowed by special permit by the Planning Board for the purpose of providing attractive, convenient, efficient neighborhoods and to promote the conservation of open space and the efficient use of land in harmony with its natural features.

4710. Minimum Size of Development. The tract of land proposed for an RCD shall contain 10 acres or shall have the minimal capacity for ten (10) dwelling units computed in accordance with this ordinance, whichever is greater. These proposals shall be permitted only within a subdivision as defined in Chapter 41 of the Massachusetts General Laws.

4711. Maximum Number of Dwelling Units in a RCD. The maximum number dwelling units in an RCD shall not exceed the number computed as follows:

A. Land unsuitable for development, as herein defined, shall first be deducted from the tract proposed for development.

B. The remaining land in the tract shall be divided by the minimum lot size for the applicable zoning district.

$$\frac{\text{Proposed tract of land - Unsuitable land}}{\text{Minimum Lot Size}} = \text{Maximum number of dwelling units}$$

C. In no case shall the number of dwelling units permitted in the RCD exceed the number of which would have been permitted in the Zoning District(s) in which the tract lies if developed in the conventional manner.

4712. Land Unsuitable for Development

A. Eighty (80) percent of the wetlands as defined in Chapter 131, Section 40A of the Massachusetts General Laws as amended.

B. Eighty (80) percent of the land located within a flood plain.

C. Eighty (80) percent of the land unable to receive septic system approval by the Board of Health.

4713. Restriction on Location of Structures. If any part of a dwelling or accessory building in an RCD is proposed to be located within 100 feet of the perimeter of such Development, such building(s) shall be located so as to comply with the minimum yard dimensions for principal and accessory buildings for the applicable zoning district.

4714. Minimum Lot Area.

A.	Minimum lot area:	20,000 sq. ft.
	Frontage:	50 ft.
	Side Yard:	12 ft.
	Front Yard:	20 ft.
	Rear Yard:	20 ft.

4720. Subdivision Approval Required. No part of the construction of an RCD shall begin until the plan of such Development has been been granted final approval by the Planning Board in accordance with the Subdivision Regulations. The developer shall submit with the request for an RCD an alternate plan(s) for developing the site as a conventional subdivision at the presubmission review and preliminary plan stages of the Subdivision process which shall adhere to all subdivision requirements. The Planning Board may establish additional rules and regulations to govern the RCD and the filing of additional material or information.

4730. General Requirements

A. RCD's are permitted only in Residential Districts. The Planning Board shall not approve a cluster development in an established single family neighborhood where in their determination, such land use will be

inconsistent with or will have a detrimental effect upon the surrounding property. If the Planning Board denies an RCD based on this section they shall identify this as the reason for denial.

B. The minimum frontage of the parcel for development proposals shall be at least fifty feet in all residential districts. Additional frontage may be required if more than one access road is deemed necessary by the Planning Board.

C. All streets in an RCD shall be improved in accordance with the requirements and specifications of the Subdivision Regulations. Driveways and other paved areas intended to remain in private ownership shall be approved as to design and construction standards by the Planning Board.

D. A written agreement or contract to be executed between the developer and the Town of Chelmsford shall be submitted at the final stage of the Subdivision review stating:
1. That the owner or developer will construct the development and install improvements both public and private in accordance with the approved plan. A bond shall be posted to guarantee completion.

2. That in the event of failure of the owners, successors, or assigns to maintain any common open space, recreation areas, landscaping features or other required improvements the Town may enter said development and perform such necessary maintenance work and charge the cost, including attorney fees to the owner, successor, or assigns.

3. That this contract shall be binding upon the heirs, assigns, successors or receivers of the development and shall constitute a lien on the property in the development.

4. Any other conditions required by the Planning Commission.

E. A site plan, in addition to the final Subdivision Plan, shall be recorded after the RCD is approved. As a minimum this site plan shall show the whole development indicating lots, roads, easements, open space, phases for development, any recreational uses or buildings to be constructed in the open space and any ponds, streams or wetlands. This plan shall be approved by the Planning Board before it is recorded.

4740. Open Space

A. No less than 25 percent of the total land area of an RCD, shall be open space. This land shall not include building lots, street rights-of-way, or facilities or land which is designated by Section 4712 as being unsuitable for development.

B. At least one-half of the open space (or 12.5 percent of the total land area) shall be usable for active recreation.

C. Provisions shall be made to ensure that no more than 20 percent of the open space (5 percent of the total area) shall be devoted to paved areas and structures devoted to recreational uses or uses accessory to permitted uses.

D. Use of the open space as permitted in paragraph (H) shall be subject to site plan review by the Planning Board. All structural improvements shall be a part of the final submission plans approved by the Board, or may be included by amendment at any time prior to the conveyance of the first lot. Following the conveyance of at least 75 percent of the lots; such improvements may be permitted by the Board with the written concurrence of at least two-thirds (2/3) of the homeowner association membership. No structure on the open space may be located within fifty (50') feet of residential property abutting the RCD.

E. Strips of open space shall be permitted only as usable access paths between residences, streets, other open space areas, as drainage areas, and as buffers.

F. Access areas to the open space shall be clearly marked with appropriate materials to distinguish open space area from private property.

G. Open space may be in one or more parcels, the size, location, shape and character of which must be suitable for the designated uses.

H. Open space may be used for active recreation, passive recreation, conservation, forestry, agriculture, natural buffers, open space, structures accessory to approved uses including septic systems and package sewage treatment facilities. No open space area shall be used for the disposal of stumps, stones or other fill resulting from the construction of the improvements of the RCD.

I. Land which has been environmentally damaged prior to final approval of the development by the Planning Board as a result of soil and earth removal operations, harvesting of trees or other natural features or refuse disposal or other causes shall not be accepted as common open space unless and until the land is restored to a condition which the Planning Board determines to be reasonable and appropriate to effectuate the purpose of this Article. The Planning Board may grant final approval for an RCD subject to such restoration of the common open space provided an appropriate performance bond is posted.

4750. Ownership of Common Open Space

A. The required open space shall be owned in common by all the landowners in the plat. The deed to each lot shall include a fractional interest in the common open space in an amount proportionate to the number of lots in the plat. The deed shall also include any covenants, restrictions, or easements attached to the RCD, each lot, or the common open space and any homeowners' association agreements pertaining thereto.

B. Open space shall be protected against building development and environmental damage by conveying to the Town a conservation restriction pursuant to Massachusetts General Laws, Chapter 84, Section 31-33 which shall be enforceable by the Conservation Commission.

4760. Maintenance of Open Space-Homeowners' Association

A. The applicant or developer shall provide for and establish a Homeowners' Association as a non-profit organization or other legal entity under the laws of Massachusetts for the use, care and maintenance of all such lands and improvements. Membership in the association shall be mandatory for all landowners within the RCD, and each lot shall be entitled to equal representation. The association shall be formed prior to conveyance of the first lot. The assessment of dues and/or fees for structural improvements requires the affirmative vote of no less than two-thirds (2/3) of the homeowner association membership.

B. Such organization shall be created by covenants and restrictions running with the land and shall be composed of all persons having ownership within the development. Such organizations shall be responsible for the perpetuation, maintenance and function of all common lands, uses and facilities.

C. All lands and improvements shall be described and identified as to location, size, use and control in a restrictive covenant, and such covenant shall set forth the method of assessment for the maintenance of such land. These restrictive covenants shall be written so as to run with the land. These covenants shall become part of the deed to each lot or parcel within the development.

D. Such restrictive covenant and organization shall continue in effect so as to control the availability of the facilities and land thereby provided, to maintain the land and facilities for their intended function, and to protect the development from additional and unplanned densities of use. Such organization shall not be dissolved without the prior approval of the Planning Board, nor shall such organization dispose of any common open space, by sale or otherwise, except to an organization conceived and organized to own and/or maintain the common open space and approved by the Planning Board.

E. The Homeowners' Association shall be responsible for guaranteeing that no land in common open space shall be used or disturbed in any manner inconsistent with the uses and intent of this Article.

F. In the event the Association fails to maintain any common open space, recreation area, landscaping area, or other improvements, including private roadways, drainage systems and so on, the Town of Chelmsford may enter into said development and perform the necessary maintenance work and charge the cost, including attorney fees to the association.

G. Notwithstanding any provision of the covenants establishing a Homeowners' Association, ultimate legal liability and responsibility for the use and maintenance of the common open space shall rest with the individual lot owners, and any legal notices concerning the common open space which are sent by the Town may be directed to the individual lot owners or the Homeowners' Association.

4770. Homeowner's Association

A. Before an applicant or developer can establish a non-profit organization as required in Section 4760 in addition to all other required recommendations, the following documents shall be submitted to and approved by the Planning Board:

1. The articles of association or other organizational documentation for the non-profit organization;

2. The by-laws of the non-profit organization and a list of officers and their terms of office;

3. The covenants or restrictions related to the use of common property, including the system and amounts of assessments for perpetuation and maintenance;

4. A document granting the rights of entry upon such common property to Town officials, law enforcement officers, rescue personnel and fire fighting personnel while in pursuit of their duties;

5. A time schedule for the maintenance of major facilities, including streets not accepted into the town highway system, private street signs and sidewalks, parking area improvements, buildings, pools and other common areas;

6. A copy of the Deed of Conveyance and Title of Certificate, where applicable, for all lands proposed to be conveyed to the Town or other appropriate governmental agency;

7. A plan for the transfer of control of the common open space from the developer to the Homeowners' Association;

8. A copy of any management policies or proposed management policies for the whole development or common open space.

B. Each original purchaser of a lot in the Residential Cluster Development (RCD) must be given by the developer a copy of all documents outlined in the above paragraph.

C. The Planning Board may require the developer to submit a fiscal program for a maximum of ten (10) years, including adequate reserve funds for the maintenance and care of all lands, streets, facilities, and uses under the purview of the Homeowners' organization.

D. The documents set forth above shall be reviewed and approved by the Planning Board, and such approval shall be obtained before the final plat is approved. The articles of association or other organizational documentation shall be filed with the appropriate state agency prior to obtaining final approval by the Planning Board. Such documents, once approved, shall be recorded in the Registry of Deeds.

4780. Required Certificates or Documents. In addition to the requirements of Section 4770, the following certificates or documents shall be submitted in accordance with the Subdivision Regulations.

A. Copies of any proposed management policies and existing or proposed deed restrictions or covenants running with the land in the development.

B. A description of any existing easement, covenants, or restrictions affecting land within the development and an instrument conveying any easements required as condition of approval to the Town. Such easements shall include that which is required by Section 4750, Item B.

C. The following disclosure shall be required:

1. Prior to approval by the Planning Board, the developer must file and have approval by the Planning Board a sample Purchase and Sale Agreement which shall be used for the purchase of individual lots and dwellings. Said Agreement shall include in conspicuous type the following:

that the property is part of an RCD subject to the Zoning Bylaw and the Subdivision Regulations

of the Town of Chelmsford; that the purchaser and subsequent owners of the property are subject to the requirements therein contained; that the purchaser shall be required to be a member of a Homeowners' Association, shall be subject to rules and regulations of said Association and shall be liable for any applicable assessment made by or against said Association and that the ultimate liability for the open space falls on the individual lot owner. The Purchase and Sale Agreement shall further contain a statement by the seller that the purchaser has been provided with a copy of the documents as required in Section 4770 and a prospectus which shall be a summarization in layman's language of the information contained in the other documents;

Planning Board Chairman, John McCarthy, read the Planning Board's recommendation:

The Planning Board conducted a public hearing on May 8, 1986, and voted to recommend in favor of this article. The vote was 6-0.

A question was asked concerning cluster zoning. Tom Della of Weston and Sampson explained the zoning. The Board of Selectman and Finance Committee recommended the article. The Moderator asked for a voice vote, which left the Chair in doubt. The tellers came forward and a hand count was taken: Yes 176 No 37 a 2/3's vote required of 142, motion carried.

UNDER ARTICLE 6 Planning Board Chairman, John McCarthy, moved that the Town vote to amend the zoning by-law of the Town of Chelmsford by adding the following section 4800. Aquifer Protection District.

4800 AQUIFER PROTECTION DISTRICT

4810. Purpose. The purpose of an Aquifer Protection District, hereinafter known as APD, is to protect the public drinking water supply and the public health by preventing the contamination of Chelmsford's groundwater.

4820. Aquifer Protection District. The APD is established as an overlay district to the Town's zoning map. This APD was defined by the surficial geology of the area and groundwater flow (based on a U.S. Geological Survey Surficial Geology Map and the Chelmsford Facilities Plan by Weston & Sampson Engineers, Inc.). Any area in which groundwater flow is directed toward a well and the surficial geology is stratified sand and gravel deposits (soils which yield groundwater to wells) is included in the APD.

If a property owner questions the location of any boundary of an APD, the owner may engage at his own cost a professional hydrogeologist or soils engineer who must be approved by the Planning Board of the Town, to determine if the land in question is a recharge area.

4830. Use Regulations. The use schedule for all zoning districts shall apply, except as modified in this section. In all cases the more stringent provision shall apply.

4831. The following uses are prohibited within the APD:

A. The manufacture, use, storage, transport, or disposal of toxic or hazardous materials as a principal activity.

B. Solid waste disposal facility, sanitary landfill, refuse incinerator, salvage yard, junk yard, storage yard, road salt stockpile.

C. Truck/bus terminals and contractor's yards with more than 10 vehicles, service station and auto repair shops.

D. Car washes, or coin-operated and commercial laundries, where not connected to public sewers.

E. Subsurface storage of toxic or hazardous materials, fuel oil or gasoline.

F. Solid waste disposal or sewage treatment facilities with onsite disposal of the effluent, unless tertiary treatment is used.

4832. The following uses require a Special Permit from the Planning Board within the APD:

A. Above ground storage of more than 500 gallons of toxic or hazardous materials, fuel oil or gasoline.

B. Any residential use with a lot size less than the intensity use schedule requires for that particular residential zone.

C. Any use except for residential with an estimated sewage disposal greater than 10 gallons of sewage per day per 1,000 square feet of lot area, based on Title V of the State Environmental Code, 310 CMR 15.00.

D. Any use which renders impervious more than 50 percent of the total lot area.

4840. Special Permits. Special Permits may be granted by the Planning Board, if the requirements of the APD are met and if the granting of such a permit follows the general intent of the zoning bylaw. Prior to granting a special permit, the Planning Board shall review the proposed control measures and shall determine if these control measures are adequate with respect to possible groundwater contamination if a failure occurred. If the Planning Board denies a special permit, the reason for the denial must be stated. After receiving a special permit application, the Planning Board shall distribute one copy each to the Board of Health, the Conservation Commission and the Building Inspector for their review. If a response is not received within 35 days by these agencies, the Planning Board will assume the agency approve. A special permit may be granted by the Planning Board, if, after review of the applications and comments from the Board of Health, the Conservation Commission and the Building Inspector, the Planning Board finds that the groundwater quality will not fall below state or federal drinking water standards, or if the groundwater quality is below these standards no further degradation of the groundwaters will occur.

4841. Special Permit Application. Eleven (11) copies of the Special Permit Application shall be submitted to the Planning Board in accordance with Section 1250. In addition, the application shall include:

A. A complete list of all fuels, chemicals, pesticides, and other potentially toxic or hazardous materials which are being used or stored on the premises in quantities greater than average household use.

B. Detailed plans shall be submitted of the storage tank or pipeline being used to store or transport the toxic or hazardous materials, fuels, chemicals or pesticides. These plans should also show how the storage tank or pipeline is protected from corrosion, leaks, spills, and vandalism.

C. Evidence of qualified professional supervision of the design and installation of above and below ground storage of toxic and hazardous materials.

D. Evidence of qualified professional supervision of the design and installation for any use with an estimated sewage flow greater than 1,000 gpd (other than single family). Impacts of nitrates, chlorides, and coliforms on groundwater quality must also be addressed;

om Della of Weston and Sampson explained that this by-law was to protect he ground water in the Town of Chelmsford.
hairman of the Planning Board, John McCarthy read the Board's recommendation: he Planning Board conducted a public hearing on May 8, 1986 and voted to ecommend in favor of this article. The vote was 4-2.
he Board of Selectmen and the Finance Committee recommended the article. The loderator attempted a voice vote, which left the chair in doubt, the tellers ame forward and a hand count was taken:
es 227 No 19 a 2/3's vote of 164 is required, motion carried.

UNDER ARTICLE 7 Selectman John P. Emerson moved to amend the article by mending the figure to read $1.00 instead of $6,000.00 Selectman Emerson xplained the purpose of the article. The Finance Committee was in favor f the amendment. Richard O'Neil question the presence of a quorum. (300 oters present are needed to conduct a Special Town Meeting.) The tellers ame forward and counted the voters: 280 voters present. Selectman Emerson oved to adjourn the Special Town Meeting until Thursday May 15th, 1986 at :30 PM. The Moderator asked for a voice vote, a discussion took place oncerning the night chosen. Selectman Emerson explained that the Town Clerk lary E. St.Hilaire, would be unavailable for a meeting other than Thursday, lay 15th. Edward Hilliard moved to adjourned the meeting until Monday May 19th 1986 at 8:00 PM to the McCarthy Jr. High Gymnasium. The Moderator explained hat the Town Clerk and Ass't Town Clerk were scheduled to be attending a ut of Town seminar. More discussion took place, The Town Clerk was going o still attend the seminar and the Assistant would attend the Town Meeting. electmen recommend the motion. The Moderator asked for a voice vote, motion arried. The Special Town Meeting adjourned at 10:55 PM until 8:00 PM Monday lay 19th.

The Moderator reconvened the Adjourned Annual Town Meeting at 10:56 PM.

Lennart Leedberg attempted to have Article 34 brought back onto the floor for re-consideration, However George Ripsom, of the Finance Committee moved to adjourned the Annual Town Meeting until Monday May 19th, 1986 at 7:30 PM to the McCarthy Jr. High Gymnasium. The Moderator explained that this is the motion which must be acted upon first. Mr. Leedberg could ask the Town Meeting Body to defeat the motion to adjourn and then his motion would be put before the Town Meeting Body for consideration, if the meeting does not adjourn. Once the meeting adjourns then Article 34 can not be brought up again at a later meeting. The Moderator attempted a voice vote, which left the chair in doubt, he asked for a show of hands, still in doubt the tellers came forward and conducted a hand count. Yes 142 No 100 Motion carried.

The meeting adjourned until Monday May 19th, 1986 7:30 PM at the McCarthy Jr. High Gymnasium. The meeting adjourned at 11:05 PM.

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 19, 1986

The Adjourned Annual Town Meeting was called to order at the McCarthy Jr. High School Gymnasium at 7:40 PM by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 316 voters present.

The Moderator addressed the Town Meeting Body with a few announcements. George Ripsom who is a member of the Finance Committee and has been a member for quite a few years, is being transfer to Washington D.C. and will be resigning from the Finance Committee. The Moderator thanked Mr. Ripsom for his years of service. Also Assessor Janet Lombard is confined to her home with a serious illness and cards/acknowledgements should be sent to her.

UNDER ARTICLE 35 Bertha Sadowski moved to amend the article to read to change from Single Residence (RB) to Roadside Commercial District (CB) The motion was submitted as changing from RB to CD. Attorney James Geary, representing Bertha Sadowski explained the reason for the amendment. A discussion took place, a number of voters spoke for and against the motion to amend. Bertha Sadowski spoke about the article and asked for support from the Town Meeting body. The Moderator asked for the Planning Board's recommendation. Chairman of the Planning Board, John McCarthy, read the Board's recommendation: The Planning Board conducted a Public Hearing on March 26, 1986 and voted to recommend in favor of the amending of this article to CB (Roadside Commerical District). The vote was 6-0. Although this article is not part of the Master Plan, the rezoning is consistent with the intent of the Master Plan.
The Moderator asked for a voice vote on the motion to amend. Motion carried. More discussion took place under the main motion as amended. Brad Emerson moved the question to stop debate. The Moderator asked for a voice vote on the motion, motion carried, unanimously. The Moderator attempted a voice vote on the main motion as amended, Chair left in doubt, the following tellers came forward and a hand count was taken: Yes 125 No 128 the motion is defeated. (see warrant for original wording of the article)

The Moderator at this time moved to recess the meeting due to the Special Town Meeting being adjourned from the May 12th, 1986 meeting to take place on May 19th, 1986 at 8:00 PM.Meeting adjourned at 8:09 PM.

ADJOURNED SPECIAL TOWN MEETING

May 19, 1986

The Moderator attempted to reconvene the adjourned session of the Special Town Meeting at 8:10 PM, however,James Brough questioned the presence of a quourm.(300 voters present in order to conduct a meeting)The tellers came forward and counted the voters present. There were 290 voters present, the Moderator postponed the Special Town Meeting until later during this session of the Town Meeting to 9:00 PM.

The Moderator moved to reconvene the recessed Annual Town Meeting at 8:15 PM.

Bertha Sadowski moved to reconsider Article 35. The Finance Committee and the Board of Selectmen do not recommend the motion. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 36 Selectman Ready, moved to amend the article by adding the words, provided however, that the property shown as owned by N/F Bell, N/F Anderson, and N/F Pappas as shown on said plan shall only be acquired with said owners consent.

A Discussion took place. The Board of Selectmen were split two and two on recommending or not recommending the article. Selectmen Emerson and Ready spoke in favor of the amendment and the article. Selectmen Johnson and Blomgren were both against passage of the article. Selectmen Emerson and Ready felt that the only way the Town of Chelmsford could excise any type of control on the situation was to take the land by eminent domain and declare it for public use. Selectmen Johnson felt that the Town should send a message to Lowell, saying that we do not want any part of this waste treatment plant.Selectmen Blomgren felt the same way. The Town couldn't be sure of what could be buried on the site, by means of hazardous wastes etc. The Moderator asked for a voice vote on Selectman Ready's motion to amend, motion defeated. More discussion took place Leo Paradis moved to amend the article by inserting near the end of the fifth paragraph after the word disposal the following,"as determined by a two-thirds vote of the Blue Ribbon Resource Recovery committee". More lengthy discussion took place. Daniel Burke of the Blue Ribbon Resource Recovery Committee, spoke about the article. He explained that the Committee felt that the Town should take the land, the company doesn't necessarily need the land for the ashes. They can be taken elsewhere, but in order for the Town to have any say what so ever in the matter the land should be taken by the Town. Scott Prescott moved the question. The Moderator asked if there was any need to hear further debate?. Hearing none he asked for a voice vote on the motion to amend. Motion defeated. The Moderator read another motion from Elias Safdie: Delete the words "adequate municipal trash disposal" and insert recretional use. He felt that if the land was taken it could only be used for this purpose only. Discussion followed. The Moderator asked for a voice vote on the motion to amend. Motion defeated. Town Counsel James Harrington was asked different questions concerning the article, he explained that he could only advise and give opinions. Elizabeth Marshall Chairman of the Finance Committee, moved to amend the article. By adding the following to the last paragraph: "Acquisition of this property shall be contingent upon the successfuly outcome of a Chapter 21E (Existing Environmental Condition) study on this property." The Selectmen explained that this was an automatic provision that would have to take place before the land could be purchased. Barry Balan asked if a Representive from BFI (Browning-Farris, Industries) could have permission from the Moderator/Town Meeting Body to come forward and answer questions. The Moderator asked for a voice vote, motion carried. Richard McEwen came forward and answered questions. He said that the City of Lowell was going to put the waste treatment plant on the Lowell site, regardless what happened with this article. Other alternatives were made on where to bring the ash to,if the Town of Chelmsford did not participate. More discussion took place. The Moderator asked for a voice vote on the motion to amend,left the chair in doubt, a show of hands was taken. Motion carried, to amend the last paragraph. The Moderator asked for a voice vote on the main motion as amended, motion defeated. Harry Foster questioned the vote,the tellers came forward and a hand count was taken: Yes 57 No 132 the motion was defeated. (see the warrant for original wording of the article)

The Moderator moved to reconvene the postponed Special Town Meeting at 10:35 PM, he asked the tellers to come forward and count the number of voters present. There were 192 voters present . Selectman Emerson moved to adjourned the Special Town Meeting until Tuesday May 27th at 8:00 PM at the McCarthy Jr. High School Gymnasium. Motion carried.

The Moderator made a point of order that the Town Meeting would now proceed with the articles that were postponed to the conclusion of the Special Town Meeting. Edward Hilliard questioned this saying that the Special Town Meeting hasn't ended yet, just postponed to another night and felt that the articles couldn't be acted on tonight. The Moderator asked Town Counsel for an opinion. The Finance Committee when questioned by the Moderator said that they did have the figures available for discussion if need be. While waiting for Town Counsel's opinion, Samuel Poulten, questioned the Tuesday night adjournment. He said that the School Committee was scheduled to meet that night. Mr. Poulten was informed that no other board can meet while Town Meeting is in process. Town Counsel James Harrington informed the Moderator after reading the minutes of the previous Town Meeting that the motion read at the conclusion of the Special Town Meeting. Therefore no action could take place on the postponed articles until after the conclusion of the Special Town Meeting which was scheduled for Tuesday May 27th , 8:00 PM.. Selectman John Emerson moved to adjourn the Annual Town Meeting until Tuesday May 27th, 1986 at 7:30 PM. Larry Cunningham spoke against the motion he felt that there was enough time left at this meeting to continue. Samuel Poulten again spoke against the motion to adjourn the Annual Town Meeting to Tuesday Night due to the School Committee having a meeting scheduled. The Moderator asked for a voice vote on the motion to adjourn the meeting until Tuesday May 27th, which left the chair in doubt, he then asked for a show of hands, motion defeated. The meeting continued

UNDER ARTICLE 37 Selectman John P. Emerson Jr. moved that the Town vote to raise and appropriate the sum of thirty-five thousand dollars ($35,000.00) and/or for the purpose of completing Artchitectual Design and securing all necessary plans and specification for the construction and/or reconstruction of the front portion of the firestation located on North Road, along with the performance all said all construction and/or reconstruction in conformit with said plans, all said contracts to be made under the supervision of the Chief of the Fire Department.

Acting Chief James Sousa stated that according to his information from former Fire Chief Reid, the Fire Department did not submit this article. Therefore he did not have any information concerning it. Richard Lahue stated that the Fire Department had purchased a new fire truck and when found that it would not fit in the station, a nitch was form in order for the truck to fit. The Fire Station falls within the Historic District, and the Board did not give any permission for any reconstruciton to the station. He asked the Town Meeting Body to dismiss the article by voting to defeat it.

William Dalton moved to amend the article: to use the sum of $35,000.00 to reconstruct the upper portion of the center fire house. He said that more office space and a ladies room was needed, and that this is where the monies should be applied to. Town Counsel was asked if this motion was considered out of order. Town Counsel replied no because the warrant says with reconstruction as does the motion to amend. The Moderator asked for a voice vote on the motion to amend. Motion defeated. The Moderator asked for a voice vote on the main motion,motion defeated..

Selectman John P. Emerson Jr., moved to adjourned the Town Meeting until Tuesday May 27, 1986 at 7:30 PM to the McCarthy Jr. High Gymnasium. The Moderator asked for a voice vote which left the chair in doubt. He then asked for a show of hands, motion carried. The meeting adjourned at 11:00 PM

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 27, 1986

The Adjourned Annual Town Meeting was called to order at the McCarthy Jr. High Gymnasium at 7:40 PM, by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 217 voters present.

Moderator Dennis McHugh announced to the Town Meeting body, that he felt that the next article would pertain to the office of the Moderator. Due to this, he was going to step down and allow a temporary Moderator conduct the meeting through this article only. Town Clerk Mary St.Hilaire, moved to nominate James Harrington, Town Counsel, as Temporary Moderator, for Article 38 only. The Moderator asked for a voice vote, motion carried. Town Clerk Mary St.Hilaire, swore in Temporary Moderator James Harrington, and the meeting continued.

UNDER ARTICLE 38 James Brough, moved that the Town vote to amend the General By-Laws Article II - Town Meeting, by deleting Section 5 Finance Committee, in its entirety and substituting the following in its place.

Section 5 Finance Committee

1. The Finance Committee in the Town of Chelmsford shall be composed of seven members to be elected at the Annual Town Election.

2. The election of said members shall be as follows:

(a) All current member shall continue to serve until June 30, 1987, at which time all said positions shall be abolished.

(b) All positions shall be elected in the Town of Chelmsford 1987 Annual Town election to take office on July 1, 1987:

(c) The initial positions on said Committee shall be elected as follows:

(1) Two positions for a period of three (3) years each;

(2) Three positions for a period of two (2) years each;

(3) Two position for a period of one (1) year each.

(d) Each of the positions shall be subject to election at the end of the above terms as stated in subsection (C); and, thereafter each position shall have a term of three (3) years.

(e) The moderator shall have the power to make interm appointments to said Finance Committee when an elected and/or appointment becomes vacant. Said interm appointment shall serve until the next Annual Town election, at which point, the position for the balance of the term of said position shall be subject to election.

3. Copies of the Finance Committee report, including the Warrant for each Annual Town Meeting shall be made available by the Finance Committee to registered voters of record not less than two weeks prior to the meeting.

James Brough explained the purpose of the article. He felt that the Finance Committee should be an elected body, that way they would have to answer publicly for their decisions on budgets/articles. Presently the Moderator appoints the Finance Committee, Mr. Brough felt that this was a lot of power for one person to be responsible for. He felt that the voters should have the say by way of electing the individuals. A discussion took place. The Finance Committee when asked did not want to recommend one way or the other, however, Elizabeth Marshall wanted to give a few points of information. The Finance Committee commits themselves to a lot of volunteer hours. They take quite seriously the responsiblility of preparing the warrant book and recommendations. If the voters do not agree with the Finance Committee's recommendations, then they simply do not vote for the article. The people who serve on the Committee are a neutral group. The Finance Committee is not considered a stepping stone to higher offices, therefore only personal achievement not political can be gained. The Board of Selectmen were not in favor of the article. Selectmen Blomgren gave the recommendation. A discussion took place, Edward Hilliard and and James Decker spoke against the article and asked for it to be defeated. William Drury moved the question to stop debate. The Temporary Moderator asked for a voice vote, motion carried, unanimously. He then asked for a voice vote on the article, motion defeated.

Moderator Dennis McHugh returned to the podium and recessed the Annual Town Meeting at this time in order to conduct the postponed Special Town Meeting, which was scheduled for 8:00 PM.

ADJOURNED SPECIAL TOWN MEETING

May 27, 1986

The Moderator Dennis McHugh called the meeting to order at 8:01 PM he recognized the presence of a quorum. A discussion took place concerning the importance of the articles left that needed to be voted on. Edward Quinn questioned the presence of a quorum. A discussion took place. Edward Quinn withdrew his motion. Selectman Dennis Ready moved to take Article 13 and 14 out of order. The Finance Committee was against the motion. The Moderator asked for a voice vote, which left the chair in doubt, he asked for a show of hands,motion defeated.

UNDER ARTICLE 7 Selectman John P. Emerson Jr. moved to amend the article to read $1.00. The Moderator asked for a voice vote on the motion to amend, motion carried, unanimously. The Moderator asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Selectman John P.Emerson moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easement and any property in fee simple, by purchase, by eminent domain or otherwise on the property described as Parcel C on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, Ma. prepared for the Town of Chelmsford, Scale 1"-40', March 10, 1986, by Vanasse/Hangen Engineering, Incs., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts" for the purpose of construction improvements, widening, laying out and accepting said portion of Mill Road and I move that the Town vote to transfer and appropriate from free cash the sum of one dollar ($1.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages whcih may be awarded as the result of any such taking.

UNDER ARTICLE 8 Selectman John P. Emerson Jr., moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the property described as Parcel 1 on a certain plan on file with the Town Engineer entitled "Easement Plan of land in chelmsford, Ma. prepared for the Town of Chelmsford, Scale 1"-40', October 29, 1984, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts' for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and to I move that the Town vote to transfer and appropriate, from free cash the sum of one dollar ($1.00) to defray all necessary costs, fees and expenses in conneciton with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. Scott Prescott asked questions concerning the construction. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 9 The Finance Committee recommended the article. The Board of Selectmen recommended the article. A discussion took place. Scott Prescott questioned the presence of a quorum. More discussion took place,the Moderator moved for a five minute recess. The Meeting adjourned at 8:20PM. The Moderator reconvened the Special Town Meeting at 8:25 PM, Scott Prescott withdrew his motion of questioning the quorum. The Moderator asked for a voice vote on Article 9, motion carried, unanimously. The article reads as follows:

Selectman John P. Emerson Jr. moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the property described as Parcel 8 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, Ma. prepared for the Town of Chelmsford, Scale 1"-40', March 10, 1986, by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts" for the purpose of construction

improvements, widening, laying out and accepting said portion of Billerica Road and I move that the Town vote to transfer and appropriate, from free cash the sum of one dollar ($1.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

Selectman John P. Emerson Jr., moved to take Articles 13 and 14 out of order. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 13 Selectman John P. Emerson Jr., moved that the Town vote to transfer and appropriate the sum of $36,713.00 from funds received from the Federal Government as partical reimbursement from hurricane "Gloria" expenses and to transfer and appropriate the sum of $12,211.00 from Line Item 139. Unemployment Benefits Due State to the following departmental line items and Trust Fund account.

Cemetery Department:	
12 Salaries	$ 7,600.00
Public Buildings	
76.Salaries	187.00
Highway Department	
41. Expenses	36,537.00
Conservation Trust Fund	4,600.00

The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 14 Selectman John P. Emerson Jr., moved that the Town vote to transfer and appropriate the sum of $19,000.00 from Line Item 139 Unemployment Benefits - State for the purpose of a continuing Traffic Study and Engineering Design to alleviate traffic problems on Chelmsford Street from Fletcher Street to the Chelmsford Mall.

The Board of Selectmen and the Finance Committee recommended the article. Motion Carried, unanimously.

UNDER ARTICLE 10 Larry Cunningham questioned the presence of a quorum. The following tellers came forward and a count of the voters present was taken:

Jocelyn Anthony	John Warren	Jack Peters
Estelle Decker	Normand LeBrecque	William Drury
Jane Drury	Donald Elias	Jean Horgan
	Edward Hilliard	

There were 190 voters present. Selectman Emerson moved to dissolve the Special Town Meeting. The Moderator asked for a voice vote, motion defeated. John Carson moved to adjourn the Special Town Meeting until later during the evening, to 9:15 PM. The Moderator asked for a voice vote, which left the chair in doubt, he asked for a show of hands, motion carried. The Special Town Meeting adjourned. The Annual Town Meeting reconvened at 8:45PM

Selectman Emerson moved to take Articles 9, 19,20,22, and 24, out of order. The Finance Committee and the Board of Selectman recommended the motion. Edward Hilliard questioned the motion. Town Counsel James Harrington ruled that the motion is in order. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 9 Chairman of the Finance Committee, Elizabeth Marshall, moved that the Town vote to raise and appropriate the sum of three hundred thousand dollars ($300,000.00) to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

The Finance Committee and the Board of Selectmen were in favor of the article The Moderator asked for a voice vote,motion carried, unanimously.

UNDER ARTICLE 19 Selectman John P. Emerson Jr., moved that the Town vote to raise and appropriate the sum of forty thousand dollars ($40,000.00) for the purpose of completing Engineering Design and securing all necessary plans and specifications for implementation of Traffic Design at Summer Street and Boston Road, and further to authorize the Board of Selectmen to complete all applications and take all necessary steps to apply for Federal and State funds for the implementaion of these plans and specifications; and further to authorize the Board of Selectmen to enter any and all contracts for the implementation of those plans and specifications, and for the expenditure of all Federal and State funds available to the Town for said implementation.

The Finance Committee did not recommend the article. The Board of Selectman did not recommend the article, at this time. Stating the project can wait a year. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 20 Selectman John P. Emerson Jr., moved that the Town vote to raise and appropriate, the sum of five thousand two hundred dollars ($5,200.00) to pay for the Town of Chelmsford portion of the shared traffic engineer, as funded by E.O.C.D. multi-community grant.

The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 22 Finance Committee Chairman, Elizabeth Marshall moved to amend the article to read $10,000.00. Raymond McCusker of the Police Union, spoke against the article. He explained that this would be a wash out account. When companies hired police for special details, it takes up to three weeks before the men would be paid. With this special account the money comes out of the account and the men will be paid within the week that they work. The monies from the companies will be kept in the account for disbursement. The Moderator asked for a voice vote on the motion to amend, which left the chair in doubt, he then asked for a show of hands, motion defeated to amend. The Moderator then asked for a voice vote on the main moiton, moiton carried. The article reads as follows:

Raymond McCusker moved that the Town vote to raise and appropriate the sum of $20,000. to be placed in a special fund as authorized under the provisions of Chapter 44, Section 53C of the General Laws. Said funds to be used, along with all other monies received by the Town as compensation earned by it's employees from off-duty work details, in such manner and at such times as shall, in the discretion of the authority authorizing such off-duty work detail, compensate the employee for such services.

UNDER ARTICLE 24 Chairman of the Library Trustees, Susan Cantin moved that the Town vote to transfer and appropriate the sum of nine thousand thirty-eight dollars ($9,038.00) from the State Aid Funds, Additional Aid to Public Libraries, to the Board of Library Trustees, for the purpose of the enrichment of the Reference collections at the libraries.

Library Trustee, Mark Gauthier, spoke about the article. The Finance Committee did not recommend the article. The Board of Selectmen were not in favor of the article. A Discussion took place. Lorraine Lambert and Elizabeth McCarthy, Library Trustees spoke in favor of the article. The Moderator asked for a voice vote, which left the chair in doubt. The Moderator asked for a show of hands, motion carried.

The Moderator called to order at 9:25PM the Special Town Meeting.

SPECIAL TOWN MEETING

May 27, 1986

The Moderator recognized the presence of a quorum. Larry Cunningham questioned the presence of a quorum. The Moderator asked the tellers to come forward and count the voters present. There were 203 voters present. Selectman John P. Emerson Jr. moved to adjourn the Special Town Meeting. A voice vote was taken which left the chair in doubt, The Moderator asked for a show of hands, motion defeated. A Discussion took place, John Carpenter moved to adjourn the meeting until June 2nd, Selectman Emerson explained that the Board of Selectmen had scheduled three public hearings for then. Mr. Carpenter submitted his motion to read to adjourn the Special Town Meeting until Monday June 9th. The Selectmen were in favor of the motion. The Moderator asked for a voice vote, motion carried. Selectman Emerson wanted to change the location of the meeting from the Gymnasium to the Auditorium. In order to do this the motion had to be reconsidered then a vote had to be taken on the location. Selectman Emerson moved to reconsider the motion to adjourn. The Moderator asked for a voice vote, motion carried,unanimously. Selectman Emerson explained that there was an expense involved to set up the Gymnasium, and asked for the meeting to be held in the Auditorium, at 7:30 PM at the McCarthy Jr. High on June 9th, 1986. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator reconvened the Adjourned Annual Town Meeting.

UNDER ARTICLE 39 Selectman John P. Emerson Jr., moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer all right, title, and interest, if any, held by the Town in a certain parcel of land located at 283 Riverneck Road and being the premises taken by the Town of Chelmsford by an instrument of taking, dated July 29, 1977 and recorded in the Middlesex North District Registry of Deeds in Book 2260, Page 274, containing approximately 24,675 square feet of land, more or less.

Nancy Burnham explained that the land abuts her land and she would like to be able to maintain it. The Board of Selectmen and the Finance Committee supported the article.The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 40 Selectman John P. Emerson Jr., moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined to convey and transfer all right, title, and interests, if any, held by the Town, in a certain parcel of land on Wightman Street, shown as Lot 14, Blk 10 on Assessors' Plat 10 and being the premises taken by the Town of Chelmsford by an instrument of taking, dated May 3, 1979 and recorded in Middlesex North district Registry of Deeds in Book 2364, Page 152, containing approximately 5,000 square feet, more or less, of land.

The direct abutter to the land was not present to explain the purpose of wanting the land. The Selectmen moved to dismiss the article, the Finance Committee supported the Selectmen. The Moderator explained that if the Town Meeting Body voted to defeat the article then,they in fact are dismissing the article. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 41 Chairman of the Finance Committee Elizabeth Marshall, moved that the Town vote to instruct the Board of Assessors to issue the sum of eight hundred fifty-two thousand dollars ($852,000.00) from Free Cash in the Treasury for the reduction of the tax rate.

The Board of Selectmen and the Finance Committee supported the article. A discussion took place. Howard Redfern, Executive Secretary to the Board of Selectmen explained the article. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator moved to adjourned the Annual Town Meeting sini die, seeing that there was no need for further business. Motion carried, unanimously. The Meeting adjourned at 9:50 PM.

_____
Dennis McHugh,
Moderator

_____
Mary E. St.Hilaire,
Town Clerk

ADJOURNED SPECIAL TOWN MEETING

June 9, 1986

The Adjourned Special Town Meeting was called to order at 8:00 PM at the McCarthy Jr. High Auditorium, by the Moderator Dennis McHugh.

The Moderator read a motion by Selectman John P. Emerson Jr.to delete the article. Larry Cunningham questioned the presence of a quorum. The following tellers came forward and counted the voters present in the auditorium:

Licia Stack	Jocelyn Anthony	Margaret Johnson
Donald Elias	John Warren	Normand LaBrecque
Jean Horgan	Gail Klemmer	Jane McKersie

The result of the hand count 245 voters present. The quorum requirement to conduct a Special Town Meeting is 300. The Moderator moved to recess the meeting until 8:30 PM and asked the Policemen to go outside to a soccer game, which was going on,and ask the people to come inside to attend the meeting.

The Moderator reconvene the meeting at 8:30 PM and asked the tellers to come forward and conduct a count of the voters present in the auditorium. There were 283 voters present. The Moderator explained that due to the expenses involved with conducting Special Town Meetings, he declared the meeting disolved and adjourned the meeting sine, die. The meeting adjourned at 8:35 PM.

_____ _____

Dennis McHugh, Moderator Mary E. St.Hilaire, Town Clerk

WARRANT FOR STATE PRIMARY
COMMONWEALTH OF MASSACHUSETTS
MICHAEL J. CONNOLLY, SECRETARY

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the inhabitants of said Town who are qualified to vote in Primaries to vote at their several polling places, Viz:

Precinct 1.	Town Office Building Gymnasium 50 Billerica Road
Precinct 2.	Harrington School Gym Richardson Road
Precinct 3.	Harrington School Gym Richardson Road
Precinct 4.	Westland School Gym Dalton Road
Precinct 5.	Byam School Cafeteria Maple Road
Precinct 6.	Westland School Cafeteria Dalton Road
Precinct 7.	Harrington School Gym Richardson Road
Precinct 8.	McCarthy Junior High School, Cafeteria North Road
Precinct 9.	South Row School Cafeteria Boston Road
Precinct 10.	South Row School Cafeteria Boston Road
Precinct 11.	Westland School Cafeteria Dalton Road
Precinct 12.	McCarthy Junior High School, Cafeteria North Road

On Tuesday, the sixteenth (16th) day of September, 1986, from 7 a.m. to 8 p.m. for the following purpose:

To cast their votes in the State Primary for the candidates of political parties for the following offices:

GOVERNOR	For the Commonwealth
LT. GOVERNOR	For the Commonwealth
ATTORNEY GENERAL	For the Commonwealth
SECRETARY	For the Commonwealth
TREASURER	For the Commonwealth
AUDITOR	For the Commonwealth
REPRESENTATIVE IN CONGRESS	FIFTH Congressional District
COUNCILLOR	THIRD Councillor District
SENATOR IN GENERAL COURT	FIFTH Senatorial District
REPRESENTATIVE IN GENERAL COURT	16th MLDS Representative District
DISTRICT ATTORNEY	Northern District
SHERIFF	Middlesex County
COUNTY COMMISSIONER	Middlesex County

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. August 28th , 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym; Harrington School Gym; Harrington School Gym; Westland School Gym; Byam School Cafeteria; Westlands School Cafeteria; Harrington School Gym; McCarthy Jr. High Cafeteria; South Row School Cafeteria; South Row School Cafeteria; Westland School Cafeteria; McCarthy Jr. High School Cafeteria seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence

William E. Spence, Constable of Chelmsford

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 25th day of August 1986.

John P. Emerson, Jr., Chairman

Dennis J. Ready, Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren

Henrick R. Johnson, Jr.

Selectmen of the Town of Chelmsford

**Write-in Candidate
* re-election

SEPTEMBER 16, 1986

	Pct1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
GOVERNOR													
Michael S. Dukakis*	224	181	283	130	277	206	155	150	132	218	174	192	2322
George Kariotis**	3	0	0	0	0	0	0	0	0	0	0	0	
All Others	0	2	0	0	3	0	2	1	0	0	0	1	9
Blanks	86	76	110	63	115	87	82	63	52	81	68	79	962
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
LIEUTENANT GOVERNOR													
Gerard D'Amico	112	88	157	66	121	98	79	82	54	78	82	76	1093
Evelyn F. Murphy	181	154	220	111	249	180	141	121	119	209	146	179	2010
Blanks	20	17	16	16	25	15	19	11	11	12	14	17	193
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
ATTORNEY GENERAL													
James M. Shannon	226	204	309	140	279	207	170	172	146	222	180	204	2459
JoAnn Shotwell	64	43	74	35	100	68	51	33	31	67	49	52	667
All Others	0	0	0	0	0	0	0	0	0	3	0	0	3
Blanks	23	12	10	18	13	18	18	9	7	10	13	16	167
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
SECRETARY OF STATE													
Michael Joseph Connolly*	216	193	289	139	294	217	177	150	138	224	173	193	2403
All Others	0	1	0	0	0	0	0	0	0	0	0	0	1
Blanks	97	66	104	54	101	76	62	63	46	75	69	79	892
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
TREASURER													
Robert Q. Crane*	199	185	259	126	277	201	163	130	118	199	159	171	2187
All Others	2	0	0	0	2	0	0	0	0	0	0	0	4
Blanks	112	74	134	67	116	92	76	84	66	100	83	101	1105
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
AUDITOR													
A. Joseph DeNucci	130	134	164	86	160	132	124	94	74	119	99	121	1437
Maura A. Hennigan	79	67	134	65	105	91	68	53	53	87	82	82	966
Charles Calvin Yancy	18	9	26	5	34	16	17	19	11	31	26	23	235
Blanks	86	49	69	37	96	54	30	48	46	62	35	46	658
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
REPRESENTATIVE IN CONGRESS 5th Dist.													
Chester G. Atkins*	224	199	286	133	291	207	187	148	131	207	178	199	2390
All Others	0	0	0	1	0	0	0	2	0	0	1	0	4
Blanks	89	60	107	59	104	86	52	64	53	92	63	73	902
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296

	Pct1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
COUNCILLOR 3rd Dist.													
Herbert L. Connolly*	174	171	238	122	233	181	156	120	116	175	149	162	1997
All Others	0	0	0	0	0	0	0	0	0	0	0	0	0
Blanks	139	88	155	71	162	112	83	94	68	124	93	110	1299
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
SENATOR IN GENERAL COURT 5th Mldsx Dist.													
Carol C. Amick*	229	192	294	140	288	208	191	155	136	216	185	210	2444
All Others	0	0	0	0	2	0	0	1	0	0	0	0	3
Blanks	84	67	99	53	105	85	48	58	48	83	57	62	849
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
REPRESENTATIVE IN GENERAL COURT 16th Mldsx Dist.													
John P. Emerson Jr.	124	121	179	53	190	111	115	94	83	115	100	129	1414
Bonita Towle	141	102	155	123	147	141	100	92	66	128	110	108	1413
William Logan**	16	3	10	1	0	7	6	3	7	16	8	11	88
Carol Cleven **	0	0	0	0	3	0	1	0	0	0	0	1	5
All Others	31	33	49	16	55	33	17	25	28	39	24	23	373
Blanks	313	259	393	193	395	293	239	214	184	299	242	272	3296
TOTAL													
DISTRICT ATTORNEY Northern Dist.													
L. Scott Harshbarger*	219	173	284	122	274	212	169	145	117	218	172	203	2308
Stephen J. McGrail	63	67	90	60	96	68	61	54	56	60	60	49	784
Blanks	31	19	19	11	25	13	9	15	11	21	10	20	204
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
SHERIFF													
John P. McGonigle*	95	80	111	63	120	84	67	56	59	89	67	66	957
Henry E. Sullivan	176	163	255	123	236	185	152	128	108	171	160	174	2031
Blanks	42	16	27	7	39	24	20	30	17	39	15	32	308
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296
COUNTY COMMISSIONER Mldsx Cty													
Bill Schmidt	54	47	68	29	63	49	48	41	32	64	48	48	591
Barbara J. Auger Collins	45	28	69	27	77	54	33	22	39	59	34	35	522
Anthony D. Pini	12	14	18	10	29	13	7	8	7	9	6	10	143
Paul Harold Sullivan	140	143	180	104	163	135	127	96	78	119	125	135	1545
Blanks	62	27	58	23	63	42	24	47	28	48	29	44	495
TOTAL	313	259	393	193	395	293	239	214	184	299	242	272	3296

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
GOVERNOR													
Gregory S.Hyatt	65	74	74	11	85	62	35	59	52	71	30	72	649
Royall H. Switzler	44	24	47	8	66	40	23	48	35	48	25	54	462
George Kariotis*	19	6	29	2	7	14	15	15	12	17	7	22	165
All Others	0	0	3	2	0	0	1	0	0	3	0	0	9
Blanks	78	22	79	8	87	51	40	104	78	84	58	90	779
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
LIEUTENANT GOVERNOR													
Nicholas M. Nikitas	133	59	147	20	142	121	75	138	107	136	81	155	1314
Blanks	73	26	85	11	103	46	38	88	71	87	39	83	75
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
ATTORNEY GENERAL													
Edward F. Harrington	148	62	159	22	163	129	86	154	112	149	83	168	1435
Blanks	58	23	73	9	82	38	27	72	66	74	37	70	629
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
SECRETARY OF STATE													
Deborah R. Cochran	137	61	147	17	155	114	73	137	102	136	80	139	1298
Blanks	69	24	85	14	90	53	40	89	76	87	40	99	766
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
TREASURER													
L. Joyce Hampers	149	67	153	20	164	126	84	147	114	147	89	174	1434
Blanks	57	18	79	11	81	41	29	79	64	76	31	64	630
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
AUDITOR													
Andrew S. Natsios	78	22	71	10	65	45	27	62	41	65	43	83	612
William Bill Robinson	96	50	113	17	131	92	67	113	83	113	57	105	1037
Blanks	32	13	48	4	49	30	19	51	54	45	20	50	415
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
REPRESENTATIVE IN CONGRESS 5th Dist.													
All Others	1	0	2	1	5	0	4	1	0	1	3	0	18
Blanks	205	85	230	30	240	167	109	225	178	222	117	238	2046
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
COUNCILLOR 3rd Dis.													
All Others	0	1	0	0	0	0	0	0	0	0	0	0	1
Blanks	206	85	232	31	245	167	113	225	178	223	120	238	2063
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064

*Write-in Candidate

	Pct1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
SENATOR IN GENERAL COURT 5th Mldsx Dist.													
Paul Reid	119	53	133	14	140	106	65	124	86	120	81	141	1182
All Others	0	0	0	0	0	0	1	0	0	0	0	0	1
Blanks	87	32	99	17	105	61	47	102	92	103	39	97	881
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
REPRESENTATIVE IN GENERAL COURT 16th Mldsx Dist.													
Carol C. Cleven	101	26	115	12	118	91	50	128	26	98	57	120	942
William Logan*	82	42	89	11	109	49	46	85	135	101	41	105	895
All Others	0	0	0	0	0	0	0	0	0	1	0	0	1
Blanks	23	17	28	8	18	27	17	13	17	23	22	13	226
TOTAL	206	85	232	31	245	167	113	226	178	223	120	238	2064
DISTRICT ATTORNEY Northern Dist.													
All Others	1	0	1	0	0	0	0	1	0	1	0	0	4
Blanks	205	85	231	167	245	167	113	225	178	222	120	238	2060
TOTAL	206	85	232	167	245	167	113	226	178	223	120	238	2064
SHERIFF Mldsx Cty.													
All Others	0	0	4	0	3	0	1	1	0	0	2	1	12
Blanks	206	85	228	31	242	167	112	225	178	223	118	237	2052
TOTAL	206	85	232	167	245	167	113	226	178	223	120	238	2064
COUNTY COMMISSIONER Mldsx Cty													
Albert Joseph Onessimo	112	53	122	19	135	91	59	111	74	102	72	131	1081
All Others	0	0	0	0	0	0	1	1	0	0	2	0	4
Blanks	94	32	110	12	110	76	53	114	104	121	46	107	979
TOTAL	206	85	232	167	245	167	113	226	178	223	120	238	2064

WARRANT FOR SPECIAL TOWN MEETING
SEPTEMBER 25, 1986
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

In the name of the Commonwealth, aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in the McCarthy Junior High School Auditorium on Thursday evening, the twenty-fifth day of September 1986, at 7:30 p.m., then and there to act upon the following Articles, viz:

ARTICLE 1. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans, entitled Plan of Sewer Easement in Chelmsford, Massachusetts, Center Interceptor Sewer, prepared for the Chelmsford Sewer Commission, September, 1986, scale 1 inch = 40 feet, by Howe Surveying, copies of which are on file in the office of the Town Engineer and are incorporated herewith, for the purpose of constructing and maintaining gravity sewers, force mains, pumping station, and all other appurtenances thereto and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen
Sewer Commission

ARTICLE 2. To see if the Town will vote to accept the provisions of Massachusetts General Law, Chapter 83, Section 16, Paragraphs A through F, inclusive regarding sewer user charge liens and the related powers and methods of collection of liens to be placed on property in the case of nonpayment of sewer user charges; or act in relation thereto.

Board of Selectmen
Sewer Commission

ARTICLE 3. To see if the Town will vote to adopt the system of Sewer Betterment Assessments and Sewer Privilege Fees, dated September, 1986, as prepared by Weston & Sampson Engineers, Inc., copies of which are on file with the office of the Board of Selectmen, and Town Clerk, and are incorporated herewith with assessments and fees to be based on the uniform unit method in accordance with and under the authority of Chapter 80 "Betterments" and Chapter 83 "Sewer, Drains and Sidewalks", Section 14 through 24, inclusive, of the General Laws of the Commonwealth of Massachusetts; or act in relation thereto.

Board of Selectmen
Sewer Commission

ARTICLE 4. To see if the Town will vote to authorize the Selectmen to petition the Great and General Court to enact amendments to Chapter 420 of the Acts of 1985 to authorize the Town to contract with the Chelmsford Center Industrial Sewer District for the use of proceeds of bonds or notes issued by the Town under the vote passed on May 7, 1984 under Article 30, and to authorize the District to levy property taxes if necessary to pay debt service, to have outstanding indebtedness of up to $3,000,000 and to incur indebtedness not later than October 23, 1988; or act in relation thereto.

Board of Selectmen

ARTICLE 5. To see if the Town will vote to authorize the Selectmen to Petition the Great and General Court to enact an amendment to Chapter 420 of the Acts of 1985 to authorize the Chelmsford Center Industrial Sewer District to exercise all the powers and privileges of, and to be subject to limitations upon Towns regarding powers of Eminent Domain including but not limited to General Law Chapters 40, Chapter 79, and Chapter 82, for the purpose of powers authorized under said act, and any amendments thereto and to pay for any such takings with or from funds, raised or obtained under powers authorized under said act, and any amendments thereto; or act in relation thereto.

Board of Selectmen

ARTICLE 6. To see if the Town will vote to authorize the Selectmen to petition the Great and General Court to enact an amendment to Chapter 420 of the Acts of 1985, to modify the boundaries of Chelmsford Center Industrial District as follows:

By deleting the entire boundary description in Section 1. of the Act and by substituting in its place the following boundary description:

Northwesterly along 3 to 495; thence Westerly from 495 to River Meadow Brook; thence Southwesterly over various courses along River Meadow Brook, to Billerica Road, northwesterly along Billerica Road to Turnpike Road, then Southeasterly along Turnpike Road to River Meadow Brook; thence continuing Southeasterly along Turnpike Road to Mill Road, including all abutting properties to the industrial sewer construction along Turnpike Road; thence Easterly along Mill Road, approximately one thousand five hundred feet (1,500') to the RB-IA zoning boundary line including all abutting properties to the industrial sewer construction along Mill Road; thence Southeasterly to the Billerica Town Line; thence Northeasterly along said Town Line to the point of beginning;

or act in relation thereto.

Board of Selectmen

ARTICLE 7. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate revenue sharing funds, borrow and/or petition the Great and General Court to enact legislation to allow the Town to borrow, by bond or note, a certain sum of money to engage engineers, contractors, attorneys, architects, and other necessary consultants and/or builders, for the purpose of preparing, designing and constructing a Senior Center and the preparation of all necessary documentation thereto, on the property under the control of the Board of Selectmen at the North School and being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951 and recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258, said contracts to be made under the supervision of the Board of Selectmen, and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

ARTICLE 8. To see if the Town will vote to accept General Law Chapter 40 Section 57, authorizing the Town of Chelmsford to enact By-Laws and/or ordinances relative to the Grant or Renewal of Licenses as affected by nonpayment of local taxes, and fees; or act in relation thereto.

Town Treasurer / Tax Collector

ARTICLE 9. To see if the Town vote to amend the General By-Laws Article VII - Miscellaneous, by adding Section 12. Grant or Renewal of all local license and/or permits.

1. Definitions

In this By-Law, the following terms have the following meaning:

(a) License: shall mean any and all licenses or permits, issued by any Town of Chelmsford Board, division, officer, or department, and shall include all renewals and transfers.

(b) Licensing authority: any Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license or permit.

2. The Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license, shall have the authority to deny any application for, or revoke or suspend any license within its jurisdiction, for any person, partnership, corporation, trust, business entity or enterprise who and/or which has neglected, refused, or failed to pay any local taxes, fees, assessments, betterments, or any other municipal charge.

3. The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, partnership, corporation, trust, business entity or enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

4. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as

required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

5. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

6. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight in the business or activity conducted in or on said property.

7. This by-law shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty; or act in relation thereto.

Town Treasurer / Tax Collector

ARTICLE 10. To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and / or permanent easements, and any property in fee simple, by purchase, by eminent domain or otherwise, on the following parcels of property described as:

A.

Parcel Numbers 1, 1a, and 2 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984 sheet 2 of 6."

B.

Parcel Number 9 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easements Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 4 of 6."

C.

Parcel Numbers 3, 4, 5, 6, and 7 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 5 of 6."

D.

Parcel Number 10 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts, dated October 29, 1984, sheet 6 of 6."

for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization fund, transfer and appropriate revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 11. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds a certain sum of money with which to meet bills of previous years; or act in relation thereto.

Board of Selectmen

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple, by purchase, by eminent domain or otherwise, the property with the buildings and trees thereon beginning at the most northwesterly corner of the parcel at the intersection of the lot line and the Lowell-Chelmsford boundary line, running along said lot line south 13 46' 36" west two hundred eight and 35/100 (208.35') feet:

Thence south 88 55' 09" east one hundred fifty and 63/100 (150.63') feet;

Thence south 02 58'00" west seven hundred seventeen and 78/100 (717.78') feet;

Thence south 89 14' 00" west twenty and 04/100 (20.04') feet;

Thence south 36 27' 11" east six hundred thirty-one and 55/100 (631.55') feet;

Thence south 21 01' 25" east eighty-nine and 22/100 (89.22) feet;

Thence easterly along the boundary of U.S. Route 3 on a curved line having a radius of 4,750 feet and a length of 1,198.44 feet thence north 84 04' 50" east 122.82 feet to the intersection with the westerly boundary of Steadman Street;

Thence north along the westerly boundary of Steadman Street on a curved line having a radius of 371.70 feet and a length of 132.41 feet thence north 06 49' 50" west a distance of 490.88 feet to a point thence still along said road north 10 37' 52" west 37.26 feet to the Lowell-Chelmsford boundary;

Thence north 62 10' 58" west one thousand eight hundred eighty-one and 77/100 (1,881.77) feet to the point of beginning, containing approximately 38.00 acres, and further shown as a Parcel of land on a certain plan on file with the Town Clerk and the Town Engineer, entitled Plan of Land in Chelmsford, Massachusetts, Scale 1" = 40', February 22, 1986, by Howe Surveying Associates, for the purpose of creation of an ash depository, and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the

Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 13. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple, by purchase, by eminent domain or otherwise, the property with the buildings and trees thereon beginning at the most northwesterly corner of the parcel at the intersection of the lot line and the Lowell-Chelmsford boundary line, running along said lot line south 13 46' 36" west two hundred eight and 35/100 (208.35') feet:

Thence south 88 55' 09" east one hundred fifty and 63/100 (150.63') feet;

Thence south 02 58'00" west seven hundred seventeen and 78/100 (717.78') feet;

Thence south 89 14' 00" west twenty and 04/100 (20.04') feet;

Thence south 36 27' 11" east six hundred thirty-one and 55/100 (631.55') feet;

Thence south 21 01' 25" east eighty-nine and 22/100 (89.22) feet;

Thence easterly along the boundary of U.S. Route 3 on a curved line having a radius of 4,750 feet and a length of 1,198.44 feet thence north 84 04' 50" east 122.82 feet to the intersection with the westerly boundary of Steadman Street;

Thence north along the westerly boundary of Steadman Street on a curved line having a radius of 371.70 feet and a length of 132.41 feet thence north 06 49' 50" west a distance of 490.88 feet to a point thence still along said road north 10 37' 52" west 37.26 feet to the Lowell-Chelmsford boundary;

Thence north 62 10' 58" west one thousand eight hundred eighty-one and 77/100 (1,881.77) feet to the point of beginning, containing approximately 38.00 acres, and further shown as a Parcel of land on a certain plan on file with the Town Clerk and the Town Engineer, entitled Plan of Land in Chelmsford, Massachusetts, Scale 1" = 40', February 22, 1986, by Howe Surveying Associates, for the purpose of open space land, and/or active and passive recreation areas, and

to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate from revenue sharing funds, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 14. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of development and establishment of a Resource Recovery Facility and to determine any effects of said facility on the Town of Chelmsford and to execute all necessary and proper contracts and agreements, and further to see if the Town will vote to raise and appropriate, transfer from available funds or amend Article 38 of the Annual Town Meeting of 1985 to remove the conditions regarding the payment of funds, and appropriate and transfer therefrom, a certain sum of money to defray all necessary costs, fees and expenses, with all said contracts to be made under the supervision of the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 15. To see if the Town will vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys, architects, and other necessary consultants for the purpose of preparing and designing all documents required to design and construct repairs to the Center Fire Station for the Town of Chelmsford, and further to see of the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto, and further to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, or borrow a certain sum of money to defray all necessary costs, fees, and expenses; or act in relation thereto.

Board of Selectmen

ARTICLE 16. To see if the Town will vote to raise and appropriate or appropriate and transfer from available funds the sum of forty-six thousand two hundred sixty dollars ($46,260.00) to Line Item 65. Nashoba Valley Regional High School Assessments; or act in relation thereto.

Finance Committee

ARTICLE 17. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property located on Fletcher Street, in the Town of Chelmsford, and further described as Parcel 1 and Parcel 2 on a certain plan filed with the Town Engineer entitled, "Plan Showing Takings for Widening of Fletcher Street Chelmsford, Massachusetts", prepared for the Town of Chelmsford, Scale 1" = 20', September 8, 1986 by Harry R. Feldman, Inc. Land Surveyors, 112 Shawmut Avenue, Boston, Massachusetts for the purpose of constructing improvements and widening Fletcher Street as part of the Chelmsford Street/Fletcher Street intersection improvements; and to see if the Town will vote to raise and appropriate, transfer from available funds, transfer and appropriate from Article 21 of the Annual Town Meeting of 1985 or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; or act in relation thereto.

Board of Selectmen

ARTICLE 18. To see if the Town will vote to rescind the acceptance of the provisions of Massachusetts General Laws, Chapter 48, Section 42, or corresponding provisions of earlier laws, as accepted at the Annual Town Meeting in 1954 establishing a fire department to be under the control of officer to be known as the chief of the department, and to see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 48, Section 42A, establishing a fire department under the direction of the Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 19. To see if the Town will vote that Reference: Mass. General Law Chapter 140 Section 32L Paragraph (8)

Requirements and restrictions applicable to mobilehome parks

As stated in this chapter, licensee meaning Chelmsford Mobile Park Inc. would have to file and appear before a (Governmental board commission or body) to request a permit for change of use or discontinuance of Mobile Park.

Prior correspondence forwarded to Chelmsford Mobile Park Inc., as to if there had been any filing as to a change of use or discontinuance of Mobile Park and if so, as to what Governmental commission board or Body filing transacted? As of date no reply.

Mass. General Laws Chapter 140 Section 32C, 32F

This section and preceding sections which designate Board of Health as (licensing body), for mobile home park and which authorized Board of Health to adopt rules and regulations to aid the enforcement of licensing provisions does not preempt the field of trailer park regulations but rather leaves to the town substantial authority to impose further restriction of the operation of trailer parks.

The rule making power of the Board of Health with respect to the licensing of mobile home parks is not restricted to the adoption of rules relating to public health.

AMENMENT

That the Board of Selectmen Town of Chelmsford, thru cooperation of Chelmsford Town Counsel James Harrington and in accordance with Mass. General Law Chapter 140 Section 32C, 32F, Designate the Board of Health Town of Chelmsford as Governing Body and any actions in behalf of the Chelmsford Mobile Park Inc. as to Discontinuance or Change of Chelmsford Mooile Park would have to be filed and heard by the Board of Health Chelmsford Massachusetts.

That the Board of Health Town of Chelmsford require that the Chelmsford Mobile Park Inc. (Owners) get a permit for such a discontinuance or use or change. That the Chelmsford Mobile Park Inc. (Owners) must give at least 15 days written notice that they will be appearing before the proper authorities to request such a permit. This notice requirement is to give you the chance to appose the granting of the permit; or act in relation thereto.

Petition

Hereof fail not and make return of this Warrant with your doings at the time and place of said meeting.

Given unto our hands this 8th day of September, A.D. 1986.

John P. Emerson, Jr., Chairman

Dennis J. Ready, Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren

Henrick R. Johnson, Jr.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. SEPTEMBER 10, 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Offices Building Gymnasium; Harrington School Gymnasium; Harrington School Gymnasium; Westlands School Gymnasium; Byam School Cafetorium; Westlands School Cafeteria; Harrington School Gymnasium; McCarthy Junior High School Cafeteria; South Row School Auditorium; South Row School Auditorium; Westlands School Cafeteria; McCarthy Junior High School Cafeteria; fourteen days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

SPECIAL TOWN MEETING
September 25, 1986

The Special Town Meeting was called to order at 7:55 PM by the Moderator Dennis McHugh, at the McCarthy Jr. High School Auditorium. The Moderator recognized the presence of a quorum, there were 469 voters present.

Selectman Emerson moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Emerson moved that the reading of the entire warrant be waived. It was so voted, unanimously.

The Moderator gave a brief explaination of the Town Meeting procedures.

UNDER ARTICLE 1 Chairman of the Sewer Commission, John Emerson, explained the article. He then asked for permisison from the Moderator, for a representative from Weston and Sampson (the firm hired by the Sewer Commission) to speak if further explaination is needed, on this article and the next two. The Moderator asked for a voice vote, motion carried, unanimously. Francis Yanuskiewicz, of Weston and Sampson, came forward and introduced himself as the firm's engineer. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a voice vote on the article, motion carried, unanimously. The article reads as follows: Chairman of the Sewer Commission, John Emerson moved that the Town vote to authorize the Board of Selectmen and/or the Sewer

> Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans, entitled Plan of Sewer Easement in Chelmsford, Massachusetts, Center Interceptor Sewer, prepared for the Chelmsford Sewer Commission, September, 1986, scale 1 inch = 40 feet, by Howe Surveying, copies of which are on file in the office of the Town Engineer and are incorporated herewith, for the purpose of constructing and maintaining gravity sewers, force mains, pumping station, and all other appurtenances thereto with said funds required to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking to be expended from the Sale of Bonds and/or notes authorized from Article 31 of the Annual Town Meeting of 1984.

UNDER ARTICLE 2 Chairman of the Sewer Commission, John Emerson, moved that the Town vote to accept the provisions of Massachusetts General Law, Chapter 83, Section 16, Paragraphs A through F, inclusive regarding sewer user charge liens and the related powers and methods of collection of liens to be placed on property in the case of nonpayment of sewer user charges.

The Finance Committee recommended the article. The Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 3 The Moderator explained the motion. The Finance Committee recommended the article. Francis Yanuskiewicz of Weston and Sampson answered questions from the Town Meeting Body. One of the concerns was if someone lived on a corner lot would they be charged twice the amount for running the lines from the house to the street? No they would not, one rate was going to be charged regardless if the house is located on a corner lot or not. More discussion took place. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Chairman of the Sewer Commission, John Emerson, moved that the town vote to adopt the system of Sewer Betterment Assessments and Sewer Privilege Fees, dated September 8, 1986, as prepared by Weston and Sampson Engineers, Inc., copies of which are on file with the office of the Board of Selectmen, and Town Clerk, and are incorporated herewith and appear as follows:

BETTERMENT ASSESSMENTS AND
SEWER PRIVILEGE FEES
TOWN OF CHELMSFORD, MA
SEPTEMBER 8, 1986

Section 1. General

The Town of Chelmsford, acting through its Sewer Commission, shall assess the owners of land abutting a public sewer line installed by the Town by a rate based upon the uniform unit method. Sewer assessments shall be determined utilizing sewer unit values and shall be levied as betterment assessments or sewer privilege fees as described herein.

The Chelmsford Center Industrial Sewer District as described herein shall be empowered to levy assessments against properties within its jurisdiction. Assessments charged against residential properties within the District shall be equivalent to the assessments charged by the Town of Chelmsford Sewer Commission against those residential properties within the Town but outside the jurisdiction of the District.

The authority to assess betterments, as well as the permitted methodologies for doing so, are described in Chapter 80 "Betterments" and Chapter 83 "Sewers", Drains, and Sidewalks", Sections 14 and 24 of the General Laws of the Commonwealth of Massachusetts.

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without such invalid provisions or applications.

Section 2. Method of Assessing Betterments

2.1 General

The Town of Chelmsford shall assess sewer betterments based upon the uniform unit method. Sewer users shall be assessed by a rate proportional to the value assigned to the sewer unit at the time of assessment. Said rate shall be determined by user class and shall apply to all lands developed or undeveloped abutting the aforementioned public sewer line. The total assessments shall not exceed the local share of the total sewer project cost which shall include total costs of engineering survey and design, construction, land acquisition, construction engineering services and all related contingencies less all state and federal aid received.

The Commission shall levy assessments against all properties abutting a sewered street within six months after completion of the pertinent construction contract. In the Order of Assessment they shall designate the owner of each parcel as of the preceding January 1st as liable to assessment as stipulated under the provisions of the General Laws.

2.2 Time of Assessment

2.2.1 Betterments

The basis for determining the sewer unit value shall be in accordance with Article 31 of the Adjourned Session of the Annual Town Meeting of May 7th, 1984, and any Sewer Commission actions taken relative thereto. In accordance with a motion made during the February 16, 1984 meeting of the Chelmsford Sewer Commission, the equivalent monetary value of one sewer unit shall be set at one thousand dollars ($1000.00). Construction cost increases and the related inflationary effects upon the aforementioned local share of said construction costs shall be reflected within the sewer unit value at the time of assessment based upon the Boston Engineering News Record (ENR) Index. The time of assessment for lands abutting the sewer line shall be that date upon which the sewer system with appurtenances is "approved for use". In the case where the construction of that portion of the sewer system (lateral sewers) partially funded by betterments is completed prior to the date upon which the sewer system is "approved for use" it shall be within the powers of the Sewer Commission to establish an earlier date of assessment.

2.2.2 Sewer Privilege Fees

For those properties not abutting the sewer line but tieing into the system at a future date, the time of assessment shall be the date upon which that property connects into the sewer system.

2.3 Sewer Unit Value Determination

The sewer unit value shall be determined as follows:

$$\text{One Sewer Unit (\$)} = \$1000.00 \times \frac{\text{ENR - Boston Index (1)}}{4290\ (2)}$$

1. ENR - Boston Index at the time of assessment as described in Section 2.2.
2. ENR - Boston Index for May 1984 (Date of Annual Town Meeting wherein local monies were appropriated for design and construction of the North Chelmsford and Chelmsford Center Sewer Project).

Section 3. Sewer Unit Designation

3.1 General

Sewer units shall be designated based upon the user class of those properties to be assessed a betterment. Said classes shall include residential and non-residential. The non-residential class shall include commercial, industrial, municipal and any or all other non-residential properties. Special provisions are made herein for those properties located within the Chelmsford Center Industrial Sewer District.

Properties receiving direct benefit from the public sewer system, whether developed or undeveloped shall be designated a number of sewer units in accordance with procedures adopted during the Chelmsford Sewer Commission meeting held on July 9, 1986.

3.2 Sewer Unit Determinations

3.2.1 Residential, Developed

3.2.1.1 Single family dwellings shall comprise one sewer unit.

3.2.1.2 Duplex dwellings shall comprise two sewer units.

3.2.1.3 Three-family dwellings shall comprise three sewer units.

3.2.1.4 Four-family dwellings shall comprise four sewer units.

3.2.1.5 Multiple family dwellings (in excess of four dwelling units) shall comprise a number of sewer units based on the following methodology:

3.2.1.5.1 Rental properties (apartments) shall be assessed one sewer unit for each apartment with more than one bedroom. Rental properties shall be assessed one half of one sewer unit for each one bedroom or studio apartment.

3.2.1.5.2 Condominium complexes shall be assessed one sewer unit for each dwelling unit.

3.2.2 Non-Residential, Developed

3.2.2.1 Non-residential buildings shall include all industrial, commercial and municipal properties.

3.2.2.2 Non-residential buildings which are metered for water use shall comprise a number of sewer units based upon water consumption using the following formula:

$$\frac{\text{Non-residential water usage in gallons per day (gpd)}}{300 \text{ gpd}} = \text{equivalent number of sewer units}$$

(All decimals shall be rounded up to the nearest whole number.)

3.2.2.3 Non-residential buildings not metered for water use shall be assigned a water consumption volume based on Title 5 (Part 2, Section 13) of the State Environmental Code for the Commonwealth of Massachusetts, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage. An equivalent number of sewer units shall then be determined by using the following formula:

$$\frac{\text{Non-residential sewage in gallons per day (gpd)}}{240 \text{ gpd}} = \text{equivalent number of sewer units}$$

(All decimals shall be rounded up to the nearest whole number.)

3.2.3 Residential, Undeveloped

3.2.3.1 Undeveloped lots shall be converted into dwelling units on the basis of maximum number of buildable dwelling lots using the applicable minimum frontage and area

requirements as directed in the Zoning By-Laws in effect at the time of assessment. Each potential dwelling unit shall then comprise one sewer unit.

3.2.4 Non-Residential, Undeveloped

3.2.4.1 Undeveloped lots shall be converted into a maximum anticipated water consumption on the basis of the Zoning By-Laws. An equivalent number of sewer units shall then be determined utilizing the formula described for non-residential, developed properties in Section 3.2.2.2 of this section.

Section 4. Betterment Payment

4.1 General

Except as herein provided, the provisions of the General Laws relative to the assessment, apportionment, division, re-assessment, abatement, and collection of sewer assessments, to liens therefor, and to interest thereon shall apply to assessments made under this by-law, and the Tax Assessor of the Town shall have all of the powers conveyed by the General Laws.

4.2 Lump Sum Betterment

The lump sum betterment payment for an assessed property shall be equivalent to the product of the total number of sewer units designated upon said property and the appropriate value for one sewer unit at the time of assessment. Said values shall be determined as described herein.

4.3 Apportionment of Betterment Payment

Property owners shall have the option to finance betterment payments through apportionment. The interest rate charged by the Town shall be 2 percent greater than the project bond rate being paid by the Town for the sewer construction project.

4.4 Betterment Deferral

The provisions of Massachusetts General Laws, Chapter 80, Section 13B, with regard to deferral of betterment assessments were adopted by the Town under Article 31 at the May 7, 1984 Adjourned Session of the Annual Town Meeting.

Section 5. Sewer Privilege Fee

5.1 Private Sewer Extension

If a private developer or a person other than the Town of Chelmsford or duly authorized representative of same constructs a sewer extension to the public sewer system, the Town shall assess a sewer privilege fee in lieu of betterment assessment against each property tieing into said sewer extension. The sewer privilege fee shall be equivalent to sixty percent of the calculated betterment assessment value pertinent to each property as determined following procedures outlined in Section 3 of these regulations. Sewer privilege fees shall be levied at the time of connection to the public sewer system. Property owner options for payment of said fees shall reflect those related to payment of betterment assessments as described in Sections 4.2 and 4.3 of these regulations.

In addition, property owners connecting to a private sewer extensions shall bear the burden of all costs related to the following:

- Review of design plans and specifications for the private sewer extensions to be accepted as part of the municipal sewer system conducted by a Registered Professional Engineer as authorized by the Chelmsford Sewer Commission.

- Inspection fees related to the installation of the private sewer line tieing into the public sewer system.

- Application fees for a Building Sewer Installation Permit, which shall include costs related to installation inspection performed by an inspector for the Town of Chelmsford. Said fees are described within the Town of Chelmsford Sewer Use Regulations, Article IV, Section 2 as adopted by the Town of Chelmsford Sewer Commission on September 23, 1986.

Costs associated with the design and construction of a private sewer extension shall be considered separate to the sewer privilege fee. Payments or method of payment related to these costs shall not be reflected within the sewer privilege fee.

5.2 Public Sewers on Unaccepted Ways

If a property abuts a private or unaccepted way within which a public sewer has been installed or if a property lies within one hundred (100) feet of a public sewer within a private or unaccepted way, the Town shall assess a sewer privilege fee in lieu of betterment assessment against said property. The sewer privilege fee shall be equivalent to the betterment assessment

value pertinent to said property as determined following procedures outlined in Section 3 of these regulations and shall be levied at the time of connection to the public sewer. All rules and regulations governing the payment and method of payment related to betterment assessments as described in Sections 4.2 and 4.3 of these regulations shall apply.

5.3 Compensatory Sewer Privilege Fee

In the situation where a betterment has been assessed to an undeveloped property based upon the estimated number of developable dwelling units as required by these regulations and said property is ultimately developed to accommodate a number of dwelling units in excess of the number estimated for determining the betterment assessment, the Town shall assess a compensatory sewer privilege fee. This fee shall be equivalent to that sum of money that would have been charged as a betterment assessment upon the additional dwelling units at the time of the original assessment. All rules and regulations governing the payment and method of payment related to betterment assessments as designated in Sections 4.2 and 4.3 of these regulations shall apply.

Section 6. Chelmsford Center Industrial Sewer District

6.1 General

In accordance with the Legislative Act of the Great and General Court of the Commonwealth of Massachusetts establishing the Chelmsford Center Industrial Sewer District (herein after referred to as the District) enacted on the 23rd of October, 1985, all properties located within the District and tieing into a District sewer system shall be exempt from betterment assessments and sewer privilege fees as described in Sections 1 through 5 of these regulations. This exemption applies only to betterments assessed by the Town of Chelmsford through its Sewer Commission and does not apply to betterments or sewer assessments the District is empowered to assess through the provisions of the aforementioned Act and modifications thereto.

6.2 Dissolution of District

Upon termination or dissolution of the District, the Town of Chelmsford Sewer Commission shall be authorized to assess privilege fees against properties tieing into sewers formerly under District authority. Said assessments shall be levied and collected by the Town of Chelmsford Sewer Commission in accordance with the provisions of these regulations and the revenue may be utilized to retire any debt left by the District or to defray any sewer costs related thereto.

assessments and fees being based upon the uniform unit method in said above accordance with and under the authority of Chapter 80 "Betterments and Chapter 83 "Sewer, Drains and Sidewalks", Section 14 through 24, inclusive, of the General Laws of the Commonwealth of Massachusetts.

UNDER ARTICLE 4 Town Counsel, James Harrington, explained the legal purpose of the article. The Finance Committee recommended the article. A discussion took place. The Moderator asked for a voice vote on the article, motion carried, unanimously. The article reads as follows:

Selectman John Emerson, moved that the town vote to authorize the Selectmen to petition the General Court to enact Amendments to Chapter 420 of the Acts of 1985 substantially in the following form or in such other form as the General Court may deem appropriate for the purposes specified in this Article:

AN ACT RELATING TO THE CHELMSFORD CENTER INDUSTRIAL DISTRICT AND THE TOWN OF CHELMSFORD

Be it enacted, etc., as follows:

SECTION 1. Section 5 of Chapter 420 of the acts of 1985 is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: -

> The fees, rates, rents, assessments, abatements and other charges established by the board shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the Commonwealth or any of its political subdivisions, including, without limitation, the Town, nor shall the district be subject to the provisions of Section twenty A of chapter fifty-nine of the General Laws. Notwithstanding the foregoing, except to the extent of betterments assessed by the board and except as provided in section eight, the board shall have no power of taxation. Except for payment of principal of and interest on bonds or notes of the district, the board's operating budget shall be limited to the sum of five thousand dollars for current administrative expenses approved by the board in the year nineteen hundred and eighty-five. Each year thereafter said sum may be increased two and one-half per cent per year.

SECTION 2. Section 6 of said chapter 420 is hereby amended by striking out in line three the words "two million" and inserting in place thereof the words: - three million.

SECTION 3. Section 8 of said chapter 420 is hereby amended by adding the following two paragraphs: -

> To the extent that moneys therefor are not otherwise provided, a sum sufficient to pay the principal and interest coming due within the year on the district's general obligation bonds or notes issued hereunder shall be appropriated and, even if it is not appropriated, shall be raised by taxation. In order to provide such sum in each year and notwithstanding any other provisions herein to the contrary, all taxable property in the district shall be subject to ad valorem taxation by the district without limitation as to rate or amount.

The assessors of the town shall assess taxes levied under this act on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act if, in the judgment of the board, after a hearing due notice whereof shall have been given, such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall be sent by said board to said assessors. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 4. Section 10 of said chapter 420 is hereby amended by striking out the fifty, sixth and seventh sentences and inserting in place thereof the following sentences: - The outstanding debt of the district shall not exceed, in the aggregate at any one time, three million dollars, excluding temporary notes in anticipation of revenue or federal, state, local or other grants or aid. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Any indebtedness issued under this act with the exception of renewal notes issued pursuant to section six or refunding bonds issued pursuant to section nine shall be issued within three years of the effective date of this act.

SECTION 5. Said chapter 420 is hereby further amended by adding the following section: -

SECTION 10A. The treasurer of the town of Chelmsford, with the approval of the selectmen, may finance the construction of sewers or sewerage systems within the district by applying the proceeds of any bonds or notes issued or to be issued under the vote passed by the town under article thirty of the warrant for the annual town meeting of nineteen hundred and eighty-four. Such proceeds may be applied for said purposes only in accordance with a contract between the town and

the district, authorized and executed by the selectmen of the town and the district sewer commissioners, that provides for payments by the district to the town to pay the district's share of the principal of and interest on the bonds or notes and related issuance costs incurred by the town.

Such bonds or notes of the town shall not be subject to the provisions of this act relating to bonds or notes of the district issued hereunder. Such bonds or notes shall remain general obligations of the town and shall be subject to the provisions of chapter forty-four of the General Laws, and the validity of the town's bonds or notes shall not depend upon the validity or enforceability of any contract between the town and the district.

SECTION 6. This act shall take effect upon its passage.

UNDER ARTICLE 5 Selectman John Emerson, moved that the Town vote to authorize the Selectmen to petition the General Court to enact amendments to Chapter 420 of the Acts of 1985 substantially in the following form or in such other form as the General Court may deem appropriate for the purposes specified in this Article:

An Act relating to the Chelmsford Center Industrial District and the Town of Chelmsford.

Be it enacted, etc., as follows:

Section 1. Section 4 (k) of Chapter 420 of the acts of 1985 is hereby amended by inserting the following paragraph after Line 13 of Section 4 (k)

to exercise all the powers and privileges of, and to be subject to limitations upon, Town, regarding, powers of Eminent Domain, including but not limited to General Law Chapter 40, Chapter 79, and Chapter 82,, for the purpose of powers authorized under said act, and any amendments thereto, and to pay for any such takings with or from funds, raised or obtained under said act, and any amendments thereto, provided, however, that any requirements is said Sections or Chapters for a vote by the Board of Selectmen or other governing body of a town or a vote by the voters of a Town shall be satisfied by a vote or resolution duly adopted by the Board in accordance herewith.

Section 2. This act shall take effect upon its passage.

The Finance Committee recommended the article. A number of questions were asked by the Town Meeting Body. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 6 Sewer Commissioner, John Emerson, explained that this district is paying for its own installation of lines etc. By allowing this district the Town is not responsible for any payments, and asked the Body to allow the district to be expanded. The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Selectman John Emerson, moved that the Town vote to authorize the Selectmen to petition the General court to enact Amendments to Chapter 420 of the Acts of 1985 substantially in the following form or in such other forms as the General Court may deem appropriate for the purposes specified in this Article:

An Act relating to the Chelmsford Center Industrial District and the Town of Chelmsford.

Be it enacted, etc. as follows:

Section 1. Section 1 of Chapter 420 of the Acts of 1985 is hereby amended by striking the entire Section 1, and inserting the following in its place.

Section 1. The following described area, together with all those inhabitants of the Town of Chelmsford within said territory snall constitute a Sewer District and is hereby made a body corporate entitled the Chelmsford Center Industrial Sewer District (hereinafter referred to as the District).

Said Districts territory and area are bounded ano described as follows:

Northwesterly along 3 to 495; thence Westerly from 495 to River Meadow Brook; thence Southwesterly over various courses along River Meadow Brook, to Billerica Road, northwesterly along Billerica Road to Turnpike Road, then Southeasterly along Turnpike Road to River Meadow Brook; thence continuing Southeasterly along Turnpike Road to Mill Road, including all abutting properties to the industrial sewer construction along Turnpike Road; thence Easterly along Mill Road, approximately one thousand five hundred feet (1,500') to the RB-IA zoning boundary line including all abutting properties to the industrial sewer construction along Mill Road; thence Southeasterly to the Billerica Town Line; thence Northeasterly along said Town Line to the point of beginning;

Said territory and area is more particularly described on a plan entitled "Proposed Amended Plan for the Chelmsford Industrial Sewer District Scale 1" = 1000', September, 1986", prepared by Weston and Sampson Engineering, Inc.

Section 2. This act shall take effect upon its passage.

UNDER ARTLICE 7 Selectman, John Emerson, moved that the Town vote to dismiss this article. The Finance Committee recommended dismissal. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 8 Town Treasurer, James Doukszewicz, moved that the town vote to accept General Law Chapter 40 Section 57, authorizing the Town of Chelmsford to enact By-Laws and/or ordinances relative to the Grant or Renewal of Licenses as affected by nonpayment of local taxes and fees.

Town Treasurer, James Doukszewicz, explained the purpose of the article. A discussion took place, James Doukszewicz answered questions. The Finance Committee recommended the article. The Moderator asked for a voice vote on the motion, motion carried.

UNDER ARTICLE 9 Town Treasurer, James Doukszewicz, explained that this is the by-law that would enforce the action voted on under article eight. The Moderator asked for any more discussion, hearing none, he asked for a voice vote, motion carried. The article reads as follows:

Town Treasurer, James Doukszewicz, moved that the town vote to amend the General By-Laws Article VII - Miscellaneous, by adding Section 12. Grant or Renewal of all local license and/or permits.

Section 12. Grant or Renewal of all local license and/or permits.

1. Definitions

In this By-Law, the following terms have the following meaning:

(a) License: shall mean any and all licenses or permits, issued by any Town of Chelmsford Board, division, officer, or department, and shall include all renewals and transfers.

(b) Licensing authority: any Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license or permit.

2. The Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license, shall have the authority to deny any application for, or revoke or suspend any license within its jurisdiction, for any person, partnership, corporation, trust, business entity or enterprise who and/or which has neglected, refused, or failed to pay any local taxes, fees, assessments, betterments, or any other municipal charge.

3. The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, partnership, corporation, trust, business entity or enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

4. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

5. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

6. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight in the business or activity conducted in or on said property.

7. This by-law shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

Normand Labrecque moved to take article 18 out of order. The Finance Committee and the Board of Selectmen were against the motion. A discussion took place. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 10 Selectman John Emerson, moved that the Town vote to athorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon, by purchase, by eminent domain or otherwise, the following parcels A - D described as follows:

Parcel A.

Parcel Numbers 1, 1a, and 2 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984 sheet 2 of 6."

Parcel B.

Parcel Number 9 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easements Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 4 of 6."

Parcel C.

Parcel Numbers 3, 4, 5, 6, and 7 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 5 of 6."

Parcel D.

Parcel Number 10 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts, dated October 29, 1984, sheet 6 of 6."

for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and I move that the Town vote to raise and appropriate the sum of four dollars ($4.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

UNDER ARTICLE 11 Selectman, John Emerson, moved that the town will vote to raise and appropriate the sum of two thousand five hundred thirty-five dollars and forty cents ($2,535.40) with which to meet bills of previous years.

The Finance Committee recommended the article. Motion carried, unanimously.

Selectman John Emerson moved to take Article 14 out of order. He explained that articles 12, 13, and 14, all pertain to the same subject, and felt that article 14 should be heard first. The action taken might make a difference with the other two articles. Selectman Henrick Johnson, spoke against the motion to take article 14 out of order. The Finance Committe was in favor of taking the article out of order. A lengthy discussion took place. The Moderator asked for a voice vote,motion defeated.

UNDER ARTICLE 12 The Board of Selectmen were against this article. Chairman of the Finance Committee, Elizabeth Marshall, spoke against the article. A lengthy discussion followed. A number of residents spoke against the article. Linda Allen moved the question to stop debate. The Moderator asked if there was any need for further discussion, hearing none he asked for a voice vote on the article, motion defeated. (see warrant for original wording of the article)

UNDER ARTICLE 13 Selectman Henrick Johnson spoke against the article. He felt that the Town should not buy the land without knowing if the land is contaminated or not. The Finance Committee was against the article. Selectman Bonita Towle spoke in favor of buying the land, as did Selectman Dennis Ready. A discussion followed. Selectman Ready moved to amend the motion that the eminent domain taking shall be contingent upon a vote of the town to exempt the bonding from the provisions of Proposition 2 1/2. The Finance Committee was in favor of the motion to amend. More lengthy discussion took place. Harold Pierce moved the question to stop debate on the motion to amend. The Moderator asked for a voice vote on the motion to stop debate, motion carried unanimously. The Moderator then asked for a voice vote on the motion to amend, motion defeated. More discussion took place. Edward Hilliard moved the question to stop debate. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator then asked for a voice vote on the article, motion defeated. The Chair was questioned on the voice vote. The Moderator explained then when an article is defeated there is no need for an actual hand count. He asked for a show of hands, and declared the article defeated. (see warrant for original wording of the article).

UNDER ARTICLE 14 A discussion took place. Selectman Dennis Ready moved to amend the article. By inserting the following wording after the word development in the first sentence,"proposed in the City of Lowell." The Finance Committee was in favor of the motion. Joseph Campobaso moved to amend the motion. After a discussion, he withdrew his motion. More discussion took place. Andrew Sims asked the Moderator for permission for Lowell resident Sharon Zawacki, who was a member of the Lowell Highlands Council to speak before the Town Meeting Body. The Moderator asked for a voice vote, motion carried. Sharon Zawacki came forward and presented facts and figures about the trash plant, which was being proposed to be built on the City of Lowell/Town of Chelmsford Line. Samuel Polton moved to amend the motion by inserting the words "in opposition to" after the word report,in the first sentence. Discussion took place. The Moderator asked for voice vote on Selectmen Ready's motion. Motion carried, unanimously. The Moderator then asked for the Finance Committee's recommendation in regards to Samuel Poulton's motion to amend. The Finance Committee was against the motion. James Harrington,Town Counsel, recommended that the Town Meeting Body vote against the motion. Samuel Poulton moved to withdraw his motion, and he also moved the question to stop debate. The Moderator asked if there was any need for further debate by voice vote, motion carried to stop debate. The Moderator then asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Selectman John Emerson, moved that the town vote to authorize the Board of Selectman to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing a study and report on the development proposed in the City of Lowell and establishment of a Resource Recovery Facility and to determine any effects of said facility on the Town of Chelmford and to execute all necessary and proper contracts and agreements, and further I move that the town vote to amend Article 38 of the Annual Town Meeting of 1985 to remove the conditions regarding the payment of funds, and appropriate and transfer therefrom, the sum of one hundred twenty-five thousand dollars ($125,000.00) to defray all necessary costs, fees and expenses, with all said contracts to be made under the supervision of the Board of Selectmen.

UNDER ARTICLE 15 Selectman John Emerson, moved that the Town vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys, architects, and other necessary consultants for the purpose of preparing and designing all documents required to design and construct repairs to the Center Fire Station for the Town of Chelmsford, and further I move that the town vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto, and further I move that the Town vote to raise and appropriate the sum of forty-five thousand dollars ($45,000.00) to defray all necesaary costs, fees, and expenses.

A discussion took place. Harry Pierce moved the question to stop debate. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator asked for a voice vote on the article, motion carried, unanimously.

UNDER ARTICLE 16 Chairman of the Finance Commmittee,Elizabeth Marshall, moved that the Town raise and appropriate the sum of forty-six thousand two hundred sixty dollars ($46,260.00) and transfer the same to line Item 65 - Nashoba Valley Regional High School Assessments.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 17 Selectman John Emerson, moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property with trees thereon located on Fletcher Street, in the Town of Chelmsford, and further described as Parcel 1 and Parcel 2 on a certain plan filed with the Town Engineer entitled, "Plan Showing Takings for Widening of Fletcher Street Chelmsford, Massachusetts", prepared for the Town of Chelmsford, Scale 1" = 20', September 8, 1986 by Harry R. Feldman, Inc. Land Surveyors, 112 Shawmut Avenue, Boston, Massachusetts for the purpose of constructing improvements and widening Fletcher Street as part of the Chelmsford Street/Fletcher Street intersection improvements and I move that the town vote to raise and appropriate the sum of thirteen thousand eight hundred dollars ($13,800.00) and appropriate and transfer the sum of ten thousand dollars ($10,000.00) from Article 21 of the Annual Town Meeting of 1985 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 18 Selectman John Emerson, moved that the town vote to rescind the acceptance of the provisions of Massachusetts General Laws, Chapter 48, Section 42, or corresponding provisions of earlier laws, as accepted at the Annual Town Meeting in 1954 establishing a fire department to be under the control of officer to be known as the chief of the department, and I move that the town vote to accept the provisions of Massachusetts General Laws, Chapter 48, Section 42A, establishing a fire department under the direction of the Selectman.

The Finance Committee was against the article. Selectman Ready spoke in favor of the article. Edward Quinn, former Deputy Chief,spoke against the article. He explained that the department's budget is controlled through the bid process, or union contract, which is done through the Board of Selectmen. He explained that a weak chief is subject to political pressures, and could in fact be fired at any point in time. Under the strong chief before the chief could be fired, he/she would be required to have a hearing, and told the reason for the firing. That way there is a little protection for the chief and avoids political pressure. Selectman Towle spoke in favor. Harold Pierce, stated that he has been a firefighter for twenty-five years with the Town, spoke against the article. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 19 Wayne Richardson, Petitioner, moved to withdraw this article with the following statement. This petition for amendment to the Mass. General Laws is a valid one, but before being voted upon by this body, I as the initator request that it be withdrawn, pending further clarification of the Authority already granted under the applicable sections of the law.

The Moderator asked for a voice vote, motion carried.

Due to no further business being at hand, the Moderator declared the meeting adjourned. Motion carried, unanimously. The meeting adjourned at 11:30 PM.

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

WARRANT FOR STATE ELECTION
COMMONWEALTH OF MASSACHUSETTS
MICHAEL J. CONNOLLY, SECRETARY

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the inhabitants of said Town who are qualified to vote in State Election to vote at their several polling places, Viz:

Precinct 1. Town Office Building Gymnasium 50 Billerica Road
Precinct 2. Harrington School Gym Richardson Road
Precinct 3. Harrington School Gym Richardson Road
Precinct 4. Westland School Cafeteria Dalton Road
Precinct 5. Byam School Cafeteria Maple Road
Precinct 6. Westland School Cafeteria Dalton Road
Precinct 7. Harrington School Gym Richardson Road
Precinct 8. McCarthy Middle School, Little Gymnasium North Road
Precinct 9. South Row School Cafeteria Boston Road
Precinct 10. South Row School Cafeteria Boston Road
Precinct 11. Westland School Cafeteria Dalton Road
Precinct 12. McCarthy Middle School, Little Gymnasium North Road

On Tuesday, the fourth (4th) day of November, 1986, from 7 a.m. to 8 p.m. for the following purpose:

To cast their votes in the State Election for the candidates of political parties for the following offices:

GOVERNOR / LT. GOVERNOR	For the Commonwealth
ATTORNEY GENERAL	For the Commonwealth
SECRETARY	For the Commonwealth
TREASURER	For the Commonwealth
AUDITOR	For the Commonwealth
REPRESENTATIVE IN CONGRESS	FIFTH Congressional District
COUNCILLOR	THIRD Councillor District
SENATOR IN GENERAL COURT	FIFTH Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT	16th MLDS Representative District
DISTRICT ATTORNEY	Northern District
SHERIFF	Middlesex County
COUNTY COMMISSIONER	Middlesex County
COUNTY CHARTER COMMISSIONER	Middlesex County

QUESTION A

Shall a charter study commission be created to study the present governmental structure of county to consider and make findings concerning the form of government and make recommendations thereon?

YES	
NO	

In the counties of: Barnstable, Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex, Plymouth, Worcester

QUESTION 1
PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the Constitution summarized below, *which was approved by the General Court in joint sessions of the House of Representatives and the Senate on June 27, 1984 by a vote of 120-67, and on April 30, 1986 by a vote of 123-69?*

YES	
NO	

SUMMARY

The proposed constitutional amendment would allow the legislature to prohibit or regulate abortions to the extent permitted by the United States Constitution. It would also provide that the state constitution does not require public or private funding of abortions, or the provision of services or facilities for performing abortions, beyond what is required by the United States Constitution. The provisions of this amendment would not apply to abortions required to prevent the death of the mother.

QUESTION 2
PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the Constitution summarized below, *which was approved by the General Court in joint sessions of the House of Representatives and the Senate on December 12, 1984 by a vote of 103-79, and on April 16, 1986 by a vote of 107-87?*

YES	
NO	

SUMMARY

The proposed constitutional amendment would allow the expenditure of public funds for private schools and private school students.

It would remove primary and secondary schools from the list of non-public institutions barred from receiving public aid and would allow public money, property, or loans of credit to be used for founding, maintaining, or aiding those schools. The proposed amendment would also allow public financial aid, materials, or services to be provided to a non-public school student requesting such aid, but only if that school does not discriminate in its entrance requirements on the basis of race, color, national origin, religious belief, sex, or physical handicap. The state legislature would have the power to impose limits on aid, materials, or services provided to students.

QUESTION 3
LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, *which was disapproved by the House of Representatives on May 6, 1986, by a vote of 49 - 93, and on which no vote was taken by the Senate before May 7, 1986?* .

YES	
NO	

SUMMARY

The proposed law would reduce and then repeal the 7½% surtax on Massachusetts state income taxes and would limit state tax revenue growth to the level of growth in total wages and salaries of the citizens of the state.

It would set the rate of the surtax on Massachusetts state income taxes at 3¾% for tax years beginning during 1986, and it would repeal the surtax for tax years beginning on or after January 1, 1987.

The allowable state tax revenues for any fiscal year are limited to the allowable state tax revenues for the prior fiscal year as increased by the average rate of growth of Massachusetts wages and salaries for the three immediately preceding calendar years. For purposes of calculating the proposed limit for fiscal year 1987, allowable state tax revenues for fiscal 1986 are the net tax revenues for that fiscal year, but excluding revenues derived from the surtax on state personal income tax. Further, if in any fiscal year the calculation of the limit results in allowable state tax revenues less than the amount of allowable state tax revenues for the prior year, then allowable state tax revenues for that fiscal year shall be equal to the allowable state tax revenues for the prior year. The revenues limited by this law would not include non-tax revenues such as federal reimbursements, tuitions, fees and earnings on investments.

The amount of allowable state tax revenues for any fiscal year would have to be reduced if a new state law were enacted allowing local governments to impose new or increased taxes or excises. The reduction would be equal to the amount of revenue derived from the new tax or increase. The reduction in state tax revenues would first take effect in the fiscal year following the enactment of the new law authorizing new local taxes or increases.

If state tax revenues exceed the limit imposed by the proposed law, as determined by the State Auditor, a tax credit would have to be granted equal to the total amount of excess tax revenue. The credit would be applied to the then current personal income tax liability of all taxpayers in proportion to their personal income tax liability in the preceding year.

The provisions of this Act could be enforced in court by a group of taxpayers.

QUESTION 4
LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, *which was approved by the House of Representatives on May 5, 1986, by a vote of 145 - 0, and on which no vote was taken by the Senate before May 7, 1986?*

YES	
NO	

SUMMARY

The proposed law would require the state Department of Environmental Quality Engineering (DEQE) to search for sites in the Commonwealth where oil or hazardous materials have been disposed of and to take all steps necessary to clean up those sites within specified time limits. Provisions are made for informing the public about sites in their communitites.

Beginning on January 15, 1987, DEQE would be required to publish lists every three months of all sites where it has confirmed that uncontrolled oil or hazardous materials have been disposed of and locations to be investigated as possible disposal sites. The lists would describe what actions have been taken at each site or location. DEQE would be required to list, to the extent that it has identified, at least 400 possible disposal sites by January 15, 1987, 600 additional locations by January 15, 1988, and 1,000 additional locations in each subsequent year.

Within one year after a location is listed as a possible disposal site DEQE would be required to determine if further investigation is warranted. If so, within two years after the listing, DEQE must confirm whether the location is a disposal site, and whether it poses an imminent or substantial hazard to health, safety, public welfare or the environment.

(continued)

For sites found to pose a substantial hazard, DEQE would be required, within the next two years, to ensure that those hazards are eliminated and to develop a plan to eliminate permanently future risks from those sites. Imminent hazards would have to be eliminated immediately. For sites found not to pose any substantial hazards DEQE must, within seven years after the listing, ensure that the full extent of contamination is evaluated and that a plan to eliminate permanently future risks is developed.

The proposed law would require DEQE to provide public notice and encourage public participation. Within 30 days after completing a site investigation, DEQE would have to inform the public through local newpapers of the results of that investigation and of the rights of local citizens under the state law. If ten citizens of a town potentially affected by a site submit a request, DEQE would be required to develop a plan for involving the public in its clean-up decisions and present that plan at a public meeting. The chief municipal officer of a city or town in which a disposal site is located could appoint individual(s) to inspect the site on behalf of the community.

Massachusetts residents could bring lawsuits to enforce the provisions of the proposed law or to lessen a hazard related to oil or hazardous materials. If such a lawsuit is brought, a court could award costs, including reasonable fees for attorneys and expert witnesses.

QUESTION 5
REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, *which was approved by the House of Representatives on October 17, 1985, by a vote of 77 - 62, and which was approved by the Senate on October 17, 1985?*

YES	
NO	

SUMMARY

The law requires all drivers and passengers to wear properly adjusted and fastened safety belts while traveling in motor vehicles on public ways. It does not apply to: children under five years old who are required by another law to wear safety belts or be restrained in safety car seats; passengers in vehicles where all safety belts are being used by others; passengers in buses; persons riding in vehicles built before July 1, 1966, or in which safety belts were not installed as original equipment; or persons who are certified by a physician to be physically unable to use safety belts. The law also does not apply to police officers, rural mail carriers, or drivers or passengers of other vehicles that stop frequently and travel at speeds not exceeding 15 miles per hour between stops.

Drivers or passengers sixteen years or older who do not wear safety belts are subject to a $15.00 fine. The driver of a vehicle is also subject to a $15.00 fine for each passenger under sixteen who does not wear a safety belt. This law, however, can be enforced only if the driver is stopped for a violation of another motor vehicle law. Safety belt violations will not result in surcharges on motor vehicle insurance premiums. The law also requires that when the Commissioner of Insurance sets motor vehicle insurance rates, the rates must reflect any savings attributable to increased use of safety belts.

The law also requires that all motor vehicles manufactured after September 1, 1989, that are sold or registered in Massachusetts be equipped with crash protection devices, as specified by federal regulations. Any manufacturer who sells or delivers motor vehicles that are not equipped with such safety devices will be subject to a fine of not more than $100 for each sale or delivery. This law is not intended to eliminate the federal requirements for passive crash protection devices in motor vehicles.

The law also provides that a non-binding question, unlike this binding referendum, shall be placed on the 1986 general election ballot asking whether the voters approve of the law.

QUESTION 6
LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, *which was disapproved by the House of Representatives on May 6, 1986, by a vote of 56 - 93, and on which no vote was taken by the Senate before May 7, 1986?*

YES	
NO	

SUMMARY

The proposed law would provide a system of voter registration by mail applicable to all qualified voters and would eliminate statutory provisions permitting certain persons to vote only for presidential electors.

Under this proposed law, the State Secretary would be required to prepare blank forms for affidavits of registration. The Secretary and local boards of registrars would be required to make such forms available to any person eligible to vote in whatever quantity the person requests and to transmit such forms, upon written request, to any person claiming to be qualified to vote. Registrars would also be required to make these forms available at all post offices and at other places within their municipalities. The Secretary would be required to establish a reasonable fee for providing more than 50 forms and to prepare instructions to accompany the forms.

A person seeking to register to vote would be required to complete the affidavit of registration and sign it under oath in the presence of a witness who is at least eighteen years old. The witness would be required to certify that the affidavit was signed in his presence and to date the affidavit.

A completed affidavit of registration could be either delivered or mailed to the appropriate registrar's office. If, from the facts set forth in the affidavit, it appears that the person is qualified to vote, the registrars would be required to add the person's name to the list of registered voters and to so notify the person by first-class, non-forwardable mail, unless the person's name already appears on the local list of residents at the same address. The cost of mailing such notices would be assumed by the Commonwealth, subject to appropriation. If in any year the General Court fails to appropriate funds for that purpose, such notices would not have to be sent. If such a notice is returned undelivered, the city or town clerk would be required to instruct election officials to challenge the person's right to vote at the next election in which he attempts to vote.

The proposed law would also impose criminal penalties of imprisonment for up to two years or a fine up to $2,000 for knowingly or willfully making a false affidavit, taking a false oath, or signing a false certificate relative to the qualifications or registration of any person to vote.

QUESTION 7
THIS QUESTION IS NONBINDING

Shall the Commonwealth of Massachusetts urge the United States Congress to enact a national health program which:

YES	
NO	

provides high quality comprehensive personal health care including preventive, curative and occupational health services; is universal in coverage, community controlled, rationally organized, equitably financed, with no out-of-pocket charges, is sensitive to the particular health needs of all, and is efficient in containing its cost; and whose yearly expenditure does not exceed the proportion of the Gross National Product spent on health care in the immediately preceding fiscal year?

QUESTION 8

THIS QUESTION IS NONBINDING

YES	
NO	

Shall the Commonwealth of Massachusetts urge the President of the United States and the United States Congress to enact a national acid rain control program which would require a fifty percent reduction in total national sulfur dioxide emissions by the year nineteen hundred and ninety-five and which would allocate the required reductions in sulfur dioxide emissions, and the costs of achieving those reductions, equitably among the states?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 21st day of October, 1986.

John P. Emerson, Jr, Chairman

Dennis J. Ready, Vice chairman

Bonita A. Towle, Clerk

Roger A. Blomgren

Henrick R. Johnson, Jr.

Selectmen of the Town of Chelmsford

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. October 22, 1986

Pursuant to the within Warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym; Harrington School Gym; Harrington School Gym; Westland School Cafeteria; Byam School Cafeteria; Westland School Cafeteria; Harrington School Gym; McCarthy Middle School Little Gymnasium; South Row School Cafeteria; South Row School Cafeteria; Westland School Cafeteria; McCarthy Middle School Little Gymnasium seven days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

SPECIAL TOWN MEETING
September 25, 1986

The Special Town Meeting was called to order at 7:55 PM by the Moderator Dennis McHugh, at the McCarthy Jr. High School Auditorium. The Moderator recognized the presence of a quorum, there were 469 voters present.

Selectman Emerson moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Emerson moved that the reading of the entire warrant be waived. It was so voted, unanimously.

The Moderator gave a brief explaination of the Town Meeting procedures.

UNDER ARTICLE 1 Chairman of the Sewer Commission, John Emerson, explained the article. He then asked for permisison from the Moderator, for a representative from Weston and Sampson (the firm hired by the Sewer Commission) to speak if further explaination is needed, on this article and the next two. The Moderator asked for a voice vote, motion carried, unanimously. Francis Yanuskiewicz, of Weston and Sampson, came forward and introduced himself as the firm's engineer. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a voice vote on the article, motion carried, unanimously. The article reads as follows: Chairman of the Sewer Commission, John Emerson moved that the Town vote to authorize the Board of Selectmen and/or the Sewer

> Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans, entitled Plan of Sewer Easement in Chelmsford, Massachusetts, Center Interceptor Sewer, prepared for the Chelmsford Sewer Commission, September, 1986, scale 1 inch = 40 feet, by Howe Surveying, copies of which are on file in the office of the Town Engineer and are incorporated herewith, for the purpose of constructing and maintaining gravity sewers, force mains, pumping station, and all other appurtenances thereto with said funds required to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking to be expended from the Sale of Bonds and/or notes authorized from Article 31 of the Annual Town Meeting of 1984.

UNDER ARTICLE 2 Chairman of the Sewer Commission, John Emerson, moved that the Town vote to accept the provisions of Massachusetts General Law, Chapter 83, Section 16, Paragraphs A through F, inclusive regarding sewer user charge liens and the related powers and methods of collection of liens to be placed on property in the case of nonpayment of sewer user charges.

The Finance Committee recommended the article. The Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 3 The Moderator explained the motion. The Finance Committee recommended the article. Francis Yanuskiewicz of Weston and Sampson answered questions from the Town Meeting Body. One of the concerns was if someone lived on a corner lot would they be charged twice the amount for running the lines from the house to the street? No they would not, one rate was going to be charged regardless if the house is located on a corner lot or not. More discussion took place. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Chairman of the Sewer Commission, John Emerson, moved that the town vote to adopt the system of Sewer Betterment Assessments and Sewer Privilege Fees, dated September 8, 1986, as prepared by Weston and Sampson Engineers, Inc., copies of which are on file with the office of the Board of Selectmen, and Town Clerk, and are incorporated herewith and appear as follows:

BETTERMENT ASSESSMENTS AND
SEWER PRIVILEGE FEES
TOWN OF CHELMSFORD, MA
SEPTEMBER 8, 1986

Section 1. General

The Town of Chelmsford, acting through its Sewer Commission, shall assess the owners of land abutting a public sewer line installed by the Town by a rate based upon the uniform unit method. Sewer assessments shall be determined utilizing sewer unit values and shall be levied as betterment assessments or sewer privilege fees as described herein.

The Chelmsford Center Industrial Sewer District as described herein shall be empowered to levy assessments against properties within its jurisdiction. Assessments charged against residential properties within the District shall be equivalent to the assessments charged by the Town of Chelmsford Sewer Commission against those residential properties within the Town but outside the jurisdiction of the District.

The authority to assess betterments, as well as the permitted methodologies for doing so, are described in Chapter 80 "Betterments" and Chapter 83 "Sewers", Drains, and Sidewalks", Sections 14 and 24 of the General Laws of the Commonwealth of Massachusetts.

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without such invalid provisions or applications.

Section 2. Method of Assessing Betterments

2.1 General

The Town of Chelmsford shall assess sewer betterments based upon the uniform unit method. Sewer users shall be assessed by a rate proportional to the value assigned to the sewer unit at the time of assessment. Said rate shall be determined by user class and shall apply to all lands developed or undeveloped abutting the aforementioned public sewer line. The total assessments shall not exceed the local share of the total sewer project cost which shall include total costs of engineering survey and design, construction, land acquisition, construction engineering services and all related contingencies less all state and federal aid received.

The Commission shall levy assessments against all properties abutting a sewered street within six months after completion of the pertinent construction contract. In the Order of Assessment they shall designate the owner of each parcel as of the preceding January 1st as liable to assessment as stipulated under the provisions of the General Laws.

2.2 Time of Assessment

2.2.1 Betterments

The basis for determining the sewer unit value shall be in accordance with Article 31 of the Adjourned Session of the Annual Town Meeting of May 7th, 1984, and any Sewer Commission actions taken relative thereto. In accordance with a motion made during the February 16, 1984 meeting of the Chelmsford Sewer Commission, the equivalent monetary value of one sewer unit shall be set at one thousand dollars ($1000.00). Construction cost increases and the related inflationary effects upon the aforementioned local share of said construction costs shall be reflected within the sewer unit value at the time of assessment based upon the Boston Engineering News Record (ENR) Index. The time of assessment for lands abutting the sewer line shall be that date upon which the sewer system with appurtenances is "approved for use". In the case where the construction of that portion of the sewer system (lateral sewers) partially funded by betterments is completed prior to the date upon which the sewer system is "approved for use" it shall be within the powers of the Sewer Commission to establish an earlier date of assessment.

2.2.2 Sewer Privilege Fees

For those properties not abutting the sewer line but tieing into the system at a future date, the time of assessment shall be the date upon which that property connects into the sewer system.

2.3 Sewer Unit Value Determination

The sewer unit value shall be determined as follows:

$$\text{One Sewer Unit (\$)} = \$1000.00 \times \frac{\text{ENR - Boston Index (1)}}{4290\ (2)}$$

1. ENR - Boston Index at the time of assessment as described in Section 2.2.
2. ENR - Boston Index for May 1984 (Date of Annual Town Meeting wherein local monies were appropriated for design and construction of the North Chelmsford and Chelmsford Center Sewer Project).

Section 3. Sewer Unit Designation

3.1 General

Sewer units shall be designated based upon the user class of those properties to be assessed a betterment. Said classes shall include residential and non-residential. The non-residential class shall include commercial, industrial, municipal and any or all other non-residential properties. Special provisions are made herein for those properties located within the Chelmsford Center Industrial Sewer District.

Properties receiving direct benefit from the public sewer system, whether developed or undeveloped shall be designated a number of sewer units in accordance with procedures adopted during the Chelmsford Sewer Commission meeting held on July 9, 1986.

3.2 Sewer Unit Determinations

3.2.1 Residential, Developed

3.2.1.1 Single family dwellings shall comprise one sewer unit.

3.2.1.2 Duplex dwellings shall comprise two sewer units.

3.2.1.3 Three-family dwellings shall comprise three sewer units.

3.2.1.4 Four-family dwellings shall comprise four sewer units.

3.2.1.5 Multiple family dwellings (in excess of four dwelling units) shall comprise a number of sewer units based on the following methodology:

3.2.1.5.1 Rental properties (apartments) shall be assessed one sewer unit for each apartment with more than one bedroom. Rental properties shall be assessed one half of one sewer unit for each one bedroom or studio apartment.

3.2.1.5.2 Condominium complexes shall be assessed one sewer unit for each dwelling unit.

3.2.2 Non-Residential, Developed

3.2.2.1 Non-residential buildings shall include all industrial, commercial and municipal properties.

3.2.2.2 Non-residential buildings which are metered for water use shall comprise a number of sewer units based upon water consumption using the following formula:

$$\frac{\text{Non-residential water usage in gallons per day (gpd)}}{300 \text{ gpd}} = \text{equivalent number of sewer units}$$

(All decimals shall be rounded up to the nearest whole number.)

3.2.2.3 Non-residential buildings not metered for water use shall be assigned a water consumption volume based on Title 5 (Part 2, Section 13) of the State Environmental Code for the Commonwealth of Massachusetts, Minimum Requirements for the Subsurface Disposal of Sanitary Sewage. An equivalent number of sewer units shall then be determined by using the following formula:

$$\frac{\text{Non-residential sewage in gallons per day (gpd)}}{240 \text{ gpd}} = \text{equivalent number of sewer units}$$

(All decimals shall be rounded up to the nearest whole number.)

3.2.3 Residential, Undeveloped

3.2.3.1 Undeveloped lots shall be converted into dwelling units on the basis of maximum number of buildable dwelling lots using the applicable minimum frontage and area

requirements as directed in the Zoning By-Laws in effect at the time of assessment. Each potential dwelling unit shall then comprise one sewer unit.

3.2.4 Non-Residential, Undeveloped

3.2.4.1 Undeveloped lots shall be converted into a maximum anticipated water consumption on the basis of the Zoning By-Laws. An equivalent number of sewer units shall then be determined utilizing the formula described for non-residential, developed properties in Section 3.2.2.2 of this section.

Section 4. Betterment Payment

4.1 General

Except as herein provided, the provisions of the General Laws relative to the assessment, apportionment, division, re-assessment, abatement, and collection of sewer assessments, to liens therefor, and to interest thereon shall apply to assessments made under this by-law, and the Tax Assessor of the Town shall have all of the powers conveyed by the General Laws.

4.2 Lump Sum Betterment

The lump sum betterment payment for an assessed property shall be equivalent to the product of the total number of sewer units designated upon said property and the appropriate value for one sewer unit at the time of assessment. Said values shall be determined as described herein.

4.3 Apportionment of Betterment Payment

Property owners shall have the option to finance betterment payments through apportionment. The interest rate charged by the Town shall be 2 percent greater than the project bond rate being paid by the Town for the sewer construction project.

4.4 Betterment Deferral

The provisions of Massachusetts General Laws, Chapter 80, Section 13B, with regard to deferral of betterment assessments were adopted by the Town under Article 31 at the May 7, 1984 Adjourned Session of the Annual Town Meeting.

Section 5. Sewer Privilege Fee

5.1 Private Sewer Extension

If a private developer or a person other than the Town of Chelmsford or duly authorized representative of same constructs a sewer extension to the public sewer system, the Town shall assess a sewer privilege fee in lieu of betterment assessment against each property tieing into said sewer extension. The sewer privilege fee shall be equivalent to sixty percent of the calculated betterment assessment value pertinent to each property as determined following procedures outlined in Section 3 of these regulations. Sewer privilege fees shall be levied at the time of connection to the public sewer system. Property owner options for payment of said fees shall reflect those related to payment of betterment assessments as described in Sections 4.2 and 4.3 of these regulations.

In addition, property owners connecting to a private sewer extensions shall bear the burden of all costs related to the following:

- Review of design plans and specifications for the private sewer extensions to be accepted as part of the municipal sewer system conducted by a Registered Professional Engineer as authorized by the Chelmsford Sewer Commission.

- Inspection fees related to the installation of the private sewer line tieing into the public sewer system.

- Application fees for a Building Sewer Installation Permit, which shall include costs related to installation inspection performed by an inspector for the Town of Chelmsford. Said fees are described within the Town of Chelmsford Sewer Use Regulations, Article IV, Section 2 as adopted by the Town of Chelmsford Sewer Commission on September 23, 1986.

Costs associated with the design and construction of a private sewer extension shall be considered separate to the sewer privilege fee. Payments or method of payment related to these costs shall not be reflected within the sewer privilege fee.

5.2 Public Sewers on Unaccepted Ways

If a property abuts a private or unaccepted way within which a public sewer has been installed or if a property lies within one hundred (100) feet of a public sewer within a private or unaccepted way, the Town shall assess a sewer privilege fee in lieu of betterment assessment against said property. The sewer privilege fee shall be equivalent to the betterment assessment

value pertinent to said property as determined following procedures outlined in Section 3 of these regulations and shall be levied at the time of connection to the public sewer. All rules and regulations governing the payment and method of payment related to betterment assessments as described in Sections 4.2 and 4.3 of these regulations shall apply.

5.3 Compensatory Sewer Privilege Fee

In the situation where a betterment has been assessed to an undeveloped property based upon the estimated number of developable dwelling units as required by these regulations and said property is ultimately developed to accommodate a number of dwelling units in excess of the number estimated for determining the betterment assessment, the Town shall assess a compensatory sewer privilege fee. This fee shall be equivalent to that sum of money that would have been charged as a betterment assessment upon the additional dwelling units at the time of the original assessment. All rules and regulations governing the payment and method of payment related to betterment assessments as designated in Sections 4.2 and 4.3 of these regulations shall apply.

Section 6. Chelmsford Center Industrial Sewer District

6.1 General

In accordance with the Legislative Act of the Great and General Court of the Commonwealth of Massachusetts establishing the Chelmsford Center Industrial Sewer District (herein after referred to as the District) enacted on the 23rd of October, 1985, all properties located within the District and tieing into a District sewer system shall be exempt from betterment assessments and sewer privilege fees as described in Sections 1 through 5 of these regulations. This exemption applies only to betterments assessed by the Town of Chelmsford through its Sewer Commission and does not apply to betterments or sewer assessments the District is empowered to assess through the provisions of the aforementioned Act and modifications thereto.

6.2 Dissolution of District

Upon termination or dissolution of the District, the Town of Chelmsford Sewer Commission shall be authorized to assess privilege fees against properties tieing into sewers formerly under District authority. Said assessments shall be levied and collected by the Town of Chelmsford Sewer Commission in accordance with the provisions of these regulations and the revenue may be utilized to retire any debt left by the District or to defray any sewer costs related thereto.

assessments and fees being based upon the uniform unit method in said above accordance with and under the authority of Chapter 80 "Betterments and Chapter 83 "Sewer, Drains and Sidewalks", Section 14 through 24, inclusive, of the General Laws of the Commonwealth of Massachusetts.

UNDER ARTICLE 4 Town Counsel, James Harrington, explained the egal purpose of the article. The Finance Committee recommended he article. A discussion took place. The Moderator asked for a oice vote on the article, motion carried, unanimously. The rticle reads as follows:

Selectman John Emerson, moved that the town vote to authorize he Selectmen to petition the General Court to enact Amendments to hapter 420 of the Acts of 1985 substantially in the following form r in such other form as the General Court may deem appropriate for he purposes specified in this Article:

AN ACT RELATING TO THE CHELMSFORD CENTER INDUSTRIAL DISTRICT AND THE TOWN OF CHELMSFORD

Be it enacted, etc., as follows:

SECTION 1. Section 5 of Chapter 420 of the acts of 1985 is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: -

> The fees, rates, rents, assessments, abatements and other charges established by the board shall not be subject to supervision or regulation by any department, division, commission, board, bureau, or agency of the Commonwealth or any of its political subdivisions, including, without limitation, the Town, nor shall the district be subject to the provisions of Section twenty A of chapter fifty-nine of the General Laws. Notwithstanding the foregoing, except to the extent of betterments assessed by the board and except as provided in section eight, the board shall have no power of taxation. Except for payment of principal of and interest on bonds or notes of the district, the board's operating budget shall be limited to the sum of five thousand dollars for current administrative expenses approved by the board in the year nineteen hundred and eighty-five. Each year thereafter said sum may be increased two and one-half per cent per year.

SECTION 2. Section 6 of said chapter 420 is hereby amended by striking out in line three the words "two million" and inserting in place thereof the words: - three million.

SECTION 3. Section 8 of said chapter 420 is hereby amended by adding the following two paragraphs: -

> To the extent that moneys therefor are not otherwise provided, a sum sufficient to pay the principal and interest coming due within the year on the district's general obligation bonds or notes issued hereunder shall be appropriated and, even if it is not appropriated, shall be raised by taxation. In order to provide such sum in each year and notwithstanding any other provisions herein to the contrary, all taxable property in the district shall be subject to ad valorem taxation by the district without limitation as to rate or amount.

The assessors of the town shall assess taxes levied under this act on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of sewerage under this act if, in the judgment of the board, after a hearing due notice whereof shall have been given, such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be connected with said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall be sent by said board to said assessors. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 4. Section 10 of said chapter 420 is hereby amended by striking out the fifty, sixth and seventh sentences and inserting in place thereof the following sentences: - The outstanding debt of the district shall not exceed, in the aggregate at any one time, three million dollars, excluding temporary notes in anticipation of revenue or federal, state, local or other grants or aid. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Any indebtedness issued under this act with the exception of renewal notes issued pursuant to section six or refunding bonds issued pursuant to section nine shall be issued within three years of the effective date of this act.

SECTION 5. Said chapter 420 is hereby further amended by adding the following section: -

SECTION 10A. The treasurer of the town of Chelmsford, with the approval of the selectmen, may finance the construction of sewers or sewerage systems within the district by applying the proceeds of any bonds or notes issued or to be issued under the vote passed by the town under article thirty of the warrant for the annual town meeting of nineteen hundred and eighty-four. Such proceeds may be applied for said purposes only in accordance with a contract between the town and

the district, authorized and executed by the selectmen of the town and the district sewer commissioners, that provides for payments by the district to the town to pay the district's share of the principal of and interest on the bonds or notes and related issuance costs incurred by the town.

Such bonds or notes of the town shall not be subject to the provisions of this act relating to bonds or notes of the district issued hereunder. Such bonds or notes shall remain general obligations of the town and shall be subject to the provisions of chapter forty-four of the General Laws, and the validity of the town's bonds or notes shall not depend upon the validity or enforceability of any contract between the town and the district.

SECTION 6. This act shall take effect upon its passage.

UNDER ARTICLE 5 Selectman John Emerson, moved that the Town vote to authorize the Selectmen to petition the General Court to enact amendments to Chapter 420 of the Acts of 1985 substantially in the following form or in such other form as the General Court may deem appropriate for the purposes specified in this Article:

An Act relating to the Chelmsford Center Industrial District and the Town of Chelmsford.

Be it enacted, etc., as follows:

Section 1. Section 4 (k) of Chapter 420 of the acts of 1985 is hereby amended by inserting the following paragraph after Line 13 of Section 4 (k)

to exercise all the powers and privileges of, and to be subject to limitations upon, Town, regarding, powers of Eminent Domain, including but not limited to General Law Chapter 40, Chapter 79, and Chapter 82,, for the purpose of powers authorized under said act, and any amendments thereto, and to pay for any such takings with or from funds, raised or obtained under said act, and any amendments thereto, provided, however, that any requirements is said Sections or Chapters for a vote by the Board of Selectmen or other governing body of a town or a vote by the voters of a Town shall be satisfied by a vote or resolution duly adopted by the Board in accordance herewith.

Section 2. This act shall take effect upon its passage.

The Finance Committee recommended the article. A number of questions were asked by the Town Meeting Body. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 6 Sewer Commissioner, John Emerson, explained that this district is paying for its own installation of lines etc. By allowing this district the Town is not responsible for any payments, and asked the Body to allow the district to be expanded. The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Selectman John Emerson, moved that the Town vote to authorize the Selectmen to petition the General court to enact Amendments to Chapter 420 of the Acts of 1985 substantially in the following form or in such other forms as the General Court may deem appropriate for the purposes specified in this Article:

An Act relating to the Chelmsford Center Industrial District and the Town of Chelmsford.

Be it enacted, etc. as follows:

Section 1. Section 1 of Chapter 420 of the Acts of 1985 is hereby amended by striking the entire Section 1, and inserting the following in its place.

Section 1. The following described area, together with all those inhabitants of the Town of Chelmsford within said territory snall constitute a Sewer District and is hereby made a body corporate entitled the Chelmsford Center Industrial Sewer District (hereinafter referred to as the District).

Said Districts territory and area are bounded ano described as follows:

Northwesterly along 3 to 495; thence Westerly from 495 to River Meadow Brook; thence Southwesterly over various courses along River Meadow Brook, to Billerica Road, northwesterly along Billerica Road to Turnpike Road, then Southeasterly along Turnpike Road to River Meadow Brook; thence continuing Southeasterly along Turnpike Road to Mill Road, including all abutting properties to the industrial sewer construction along Turnpike Road; thence Easterly along Mill Road, approximately one thousand five hundred feet (1,500') to the RB-IA zoning boundary line including all abutting properties to the industrial sewer construction along Mill Road; thence Southeasterly to the Billerica Town Line; thence Northeasterly along said Town Line to the point of beginning;

Said territory and area is more particularly described on a plan entitled "Proposed Amended Plan for the Chelmsford Industrial Sewer District Scale 1" = 1000', September, 1986", prepared oy Weston and Sampson Engineering, Inc.

Section 2. This act shall take effect upon its passage.

UNDER ARTLICE 7 Selectman, John Emerson, moved that the Town vote to dismiss this article. The Finance Committee recommended dismissal. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 8 Town Treasurer, James Doukszewicz, moved that the town vote to accept General Law Chapter 40 Section 57, authorizing the Town of Chelmsford to enact By-Laws and/or ordinances relative to the Grant or Renewal of Licenses as affected by nonpayment of local taxes and fees.

Town Treasurer, James Doukszewicz, explained the purpose of the article. A discussion took place, James Doukszewicz answered questions. The Finance Committee recommended the article. The Moderator asked for a voice vote on the motion, motion carried.

UNDER ARTICLE 9 Town Treasurer, James Doukszewicz, explained that this is the by-law that would enforce the action voted on under article eight. The Moderator asked for any more discussion, hearing none, he asked for a voice vote, motion carried. The article reads as follows:

Town Treasurer, James Doukszewicz, moved that the town vote to amend the General By-Laws Article VII - Miscellaneous, by adding Section 12. Grant or Renewal of all local license and/or permits.

Section 12. Grant or Renewal of all local license and/or permits.

1. Definitions

In this By-Law, the following terms have the following meaning:

(a) License: shall mean any and all licenses or permits, issued by any Town of Chelmsford Board, division, officer, or department, and shall include all renewals and transfers.

(b) Licensing authority: any Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license or permit.

2. The Town of Chelmsford Board, division, officer or department, with jurisdiction over the issuance of any license, shall have the authority to deny any application for, or revoke or suspend any license within its jurisdiction, for any person, partnership, corporation, trust, business entity or enterprise who and/or which has neglected, refused, or failed to pay any local taxes, fees, assessments, betterments, or any other municipal charge.

3. The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, partnership, corporation, trust, business entity or enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

4. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

5. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

6. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight in the business or activity conducted in or on said property.

7. This by-law shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

Normand Labrecque moved to take article 18 out of order. The Finance Committee and the Board of Selectmen were against the motion. A discussion took place. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 10 Selectman John Emerson, moved that the Town vote to athorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon, by purchase, by eminent domain or otherwise, the following parcels A - D described as follows:

Parcel A.

Parcel Numbers 1, 1a, and 2 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984 sheet 2 of 6."

Parcel B.

Parcel Number 9 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easements Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 4 of 6."

Parcel C.

Parcel Numbers 3, 4, 5, 6, and 7 on a certain plan on file with the Town Engineer entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts dated October 29, 1984, sheet 5 of 6."

Parcel D.

Parcel Number 10 on a certain plan on file with the Town Engineer and incorporated herewith entitled "Easement Plan of Land in Chelmsford, MA prepared for the Town of Chelmsford, Scale 1"-40', by Vanasse/Hangen Engineering, Inc., Consulting Engineers and Planners, 60 Birmingham Parkway, Boston, Massachusetts, dated October 29, 1984, sheet 6 of 6."

for the purpose of construction improvements, widening, laying out and accepting said portion of Billerica Road and I move that the Town vote to raise and appropriate the sum of four dollars ($4.00) to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

The Finance Committee and the Board of Selectmen recommended the article. Motion carried, unanimously.

UNDER ARTICLE 11 Selectman, John Emerson, moved that the town will vote to raise and appropriate the sum of two thousand five hundred thirty-five dollars and forty cents ($2,535.40) with which to meet bills of previous years.

The Finance Committee recommended the article. Motion carried, unanimously.

Selectman John Emerson moved to take Article 14 out of order. He explained that articles 12, 13, and 14, all pertain to the same subject, and felt that article 14 should be heard first. The action taken might make a difference with the other two articles. Selectman Henrick Johnson, spoke against the motion to take article 14 out of order. The Finance Committe was in favor of taking the article out of order. A lengthy discussion took place. The Moderator asked for a voice vote,motion defeated.

UNDER ARTICLE 12 The Board of Selectmen were against this article. Chairman of the Finance Committee, Elizabeth Marshall, spoke against the article. A lengthy discussion followed. A number of residents spoke against the article. Linda Allen moved the question to stop debate. The Moderator asked if there was any need for further discussion, hearing none he asked for a voice vote on the article, motion defeated. (see warrant for original wording of the article)

UNDER ARTICLE 13 Selectman Henrick Johnson spoke against the article. He felt that the Town should not buy the land without knowing if the land is contaminated or not. The Finance Committee was against the article. Selectman Bonita Towle spoke in favor of buying the land, as did Selectman Dennis Ready. A discussion followed. Selectman Ready moved to amend the motion that the eminent domain taking shall be contingent upon a vote of the town to exempt the bonding from the provisions of Proposition 2 1/2. The Finance Committee was in favor of the motion to amend. More lengthy discussion took place. Harold Pierce moved the question to stop debate on the motion to amend. The Moderator asked for a voice vote on the motion to stop debate, motion carried unanimously. The Moderator then asked for a voice vote on the motion to amend, motion defeated. More discussion took place. Edward Hilliard moved the question to stop debate. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator then asked for a voice vote on the article, motion defeated. The Chair was questioned on the voice vote. The Moderator explained then when an article is defeated there is no need for an actual hand count. He asked for a show of hands, and declared the article defeated. (see warrant for original wording of the article).

UNDER ARTICLE 14 A discussion took place. Selectman Dennis Ready moved to amend the article. By inserting the following wording after the word development in the first sentence,"proposed in the City of Lowell." The Finance Committee was in favor of the motion. Joseph Campobaso moved to amend the motion. After a discussion, he withdrew his motion. More discussion took place. Andrew Sims asked the Moderator for permission for Lowell resident Sharon Zawacki, who was a member of the Lowell Highlands Council to speak before the Town Meeting Body. The Moderator asked for a voice vote, motion carried. Sharon Zawacki came forward and presented facts and figures about the trash plant, which was being proposed to be built on the City of Lowell/Town of Chelmsford Line. Samuel Polton moved to amend the motion by inserting the words "in opposition to" after the word report,in the first sentence. Discussion took place. The Moderator asked for voice vote on Selectmen Ready's motion. Motion carried, unanimously. The Moderator then asked for the Finance Committee's recommendation in regards to Samuel Poulton's motion to amend. The Finance Committee was against the motion. James Harrington,Town Counsel, recommended that the Town Meeting Body vote against the motion. Samuel Poulton moved to withdraw his motion, and he also moved the question to stop debate. The Moderator asked if there was any need for further debate by voice vote, motion carried to stop debate. The Moderator then asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Selectman John Emerson, moved that the town vote to authorize the Board of Selectman to engage engineers, appraisers, attorneys and other necessary consultants for the purpose of preparing a study and report on the development proposed in the City of Lowell and establishment of a Resource Recovery Facility and to determine any effects of said facility on the Town of Chelmford and to execute all necessary and proper contracts and agreements, and further I move that the town vote to amend Article 38 of the Annual Town Meeting of 1985 to remove the conditions regarding the payment of funds, and appropriate and transfer therefrom, the sum of one hundred twenty-five thousand dollars ($125,000.00) to defray all necessary costs, fees and expenses, with all said contracts to be made under the supervision of the Board of Selectmen.

UNDER ARTICLE 15 Selectman John Emerson, moved that the Town vote to authorize the Board of Selectmen to engage engineers, appraisers, attorneys, architects, and other necessary consultants for the purpose of preparing and designing all documents required to design and construct repairs to the Center Fire Station for the Town of Chelmsford, and further I move that the town vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto, and further I move that the Town vote to raise and appropriate the sum of forty-five thousand dollars ($45,000.00) to defray all necesaary costs, fees, and expenses.

A discussion took place. Harry Pierce moved the question to stop debate. The Moderator asked for a voice vote, motion carried, unanimously. The Moderator asked for a voice vote on the article, motion carried, unanimously.

UNDER ARTICLE 16 Chairman of the Finance Commmittee,Elizabeth Marshall, moved that the Town raise and appropriate the sum of forty-six thousand two hundred sixty dollars ($46,260.00) and transfer the same to line Item 65 - Nashoba Valley Regional High School Assessments.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 17 Selectman John Emerson, moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple by purchase, eminent domain, or otherwise, the property with trees thereon located on Fletcher Street, in the Town of Chelmsford, and further described as Parcel 1 and Parcel 2 on a certain plan filed with the Town Engineer entitled, "Plan Showing Takings for Widening of Fletcher Street Chelmsford, Massachusetts", prepared for the Town of Chelmsford, Scale 1" = 20', September 8, 1986 by Harry R. Feldman, Inc. Land Surveyors, 112 Shawmut Avenue, Boston, Massachusetts for the purpose of constructing improvements and widening Fletcher Street as part of the Chelmsford Street/Fletcher Street intersection improvements and I move that the town vote to raise and appropriate the sum of thirteen thousand eight hundred dollars ($13,800.00) and appropriate and transfer the sum of ten thousand dollars ($10,000.00) from Article 21 of the Annual Town Meeting of 1985 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking.

The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 18 Selectman John Emerson, moved that the town vote to rescind the acceptance of the provisions of Massachusetts General Laws, Chapter 48, Section 42, or corresponding provisions of earlier laws, as accepted at the Annual Town Meeting in 1954 establishing a fire department to be under the control of officer to be known as the chief of the department, and I move that the town vote to accept the provisions of Massachusetts General Laws, Chapter 48, Section 42A, establishing a fire department under the direction of the Selectman.

The Finance Committee was against the article. Selectman Ready spoke in favor of the article. Edward Quinn, former Deputy Chief,spoke against the article. He explained that the department's budget is controlled through the bid process, or union contract, which is done through the Board of Selectmen. He explained that a weak chief is subject to political pressures, and could in fact be fired at any point in time. Under the strong chief before the chief could be fired, he/she would be required to have a hearing, and told the reason for the firing. That way there is a little protection for the chief and avoids political pressure. Selectman Towle spoke in favor. Harold Pierce, stated that he has been a firefighter for twenty-five years with the Town, spoke against the article. The Moderator asked for a voice vote, motion defeated.

UNDER ARTICLE 19 Wayne Richardson, Petitioner, moved to withdraw this article with the following statement. This petition for amendment to the Mass. General Laws is a valid one, but before being voted upon by this body, I as the initator request that it be withdrawn, pending further clarification of the Authority already granted under the applicable sections of the law.

The Moderator asked for a voice vote, motion carried.

Due to no further business being at hand, the Moderator declared the meeting adjourned. Motion carried, unanimously. The meeting adjourned at 11:30 PM.

_____
Dennis McHugh,
Moderator

_____
Mary E. St.Hilaire,
Town Clerk

STATE ELECTION
NOVEMBER 4, 1986

*re-election

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
GOVERNOR/LT. GOVERNOR													
Dukakis and Murphy	516	389	659	187	713	530	397	411	381	642	389	560	5774
Kariotis and Nikitas	440	255	579	150	591	408	341	380	272	546	289	480	4731
All Others	0	0	3	0	3	1	0	0	0	2	0	1	10
Blanks	58	30	48	22	43	40	36	34	39	56	32	43	481
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
ATTORNEY GENERAL													
Edward F. Harrington	508	250	601	145	630	412	329	424	308	586	318	558	5069
James M. Shannon	467	397	654	201	674	531	411	374	360	609	364	504	5546
All Others	0	0	0	0	0	0	0	0	0	0	0	1	1
Blanks	39	27	34	13	46	36	34	27	24	51	28	21	380
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
SECRETARY OF STATE													
Michael Joseph Connolly Jr.*	513	426	680	231	724	575	457	386	392	652	393	577	6006
Deborah R. Cochran	421	195	519	97	512	327	256	368	245	488	267	436	4131
All Others	0	0	0	0	0	0	0	0	1	0	0	0	1
Blanks	80	53	90	31	114	77	61	71	54	106	50	71	858
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
TREASURER													
Robert Q. Crane*	430	354	562	187	590	479	376	331	299	511	336	447	4902
L.Joyce Hampers	510	281	661	156	677	444	359	443	343	664	338	584	5460
All Others	0	0	0	0	1	0	0	0	0	0	0	0	1
Blanks	74	39	66	16	82	56	39	51	50	71	36	53	633
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
AUDITOR													
A. Joseph DeNucci	422	375	544	203	608	469	388	313	323	533	337	453	4968
Wm. Bill Robinson	500	244	647	131	621	427	322	436	305	603	331	553	5120
Blanks	92	55	98	25	121	83	64	76	64	110	42	78	908
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996

*re-election

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
REPRESENTATIVE IN CONGRESS 5th													
Chester G. Atkins*	664	480	891	260	945	703	555	537	460	829	505	733	7562
All Others	0	0	0	0	0	0	0	2	0	0	0	0	2
Blanks	350	194	398	99	405	276	219	286	232	417	205	351	3432
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
COUNCILLOR 3rd District													
Herbert L. Connolly*	585	427	791	241	847	626	489	465	413	742	448	632	6706
Blanks	429	247	498	118	503	353	285	360	279	504	262	452	4290
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
SENATOR IN GENERAL CT. 5th District													
Carol C. Amick*	613	461	819	226	868	629	499	500	453	789	440	691	6988
Paul Reid	306	155	403	93	401	261	194	285	191	371	214	349	3223
Blanks	95	58	67	40	81	89	81	40	48	86	56	44	785
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
REPRESENTATIVE IN GENERAL CT. 16 Mldsx Dist.													
Carol C. Cleven	588	262	770	141	726	490	355	539	367	763	342	695	6038
John P. Emerson Jr	360	359	469	193	562	417	360	251	293	410	326	355	4355
All Others	1	0	0	0	0	3	1	0	3	0	1	2	11
Blanks	65	53	50	25	62	69	58	35	29	73	41	32	592
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
DISTRICT ATTORNEY Northern Dist.													
L. Scott Harshbarger*	690	481	898	273	972	698	558	560	476	840	509	752	7707
Blanks	324	193	391	86	378	281	216	265	216	406	201	332	3289
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
SHERIFF Middlesex Cty													
John P. McGonigle	659	462	847	262	898	649	532	505	440	795	489	676	7214
All Others	0	0	2	0	0	0	1	0	0	0	0	0	3
Blanks	355	212	440	97	452	330	241	320	252	451	221	408	3779
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
COUNTY COMMISSIONER Mldsx Cty													
Bill Schmidt*	415	371	604	208	653	476	385	347	323	575	367	467	5191
Albert Joseph Onessimo	399	187	474	96	449	312	245	335	216	438	233	428	3812
Blanks	200	116	211	55	248	191	144	143	153	233	110	189	1993
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
MIDDLESEX COUNTY CHARTER COMM. 3rd Dist.													
Robert W. Keough	186	135	184	64	195	168	124	163	116	214	137	199	1885
Dennis J. Ready	666	443	937	250	998	659	523	557	480	872	493	767	7645
Blanks	162	96	168	45	157	152	127	105	96	160	80	118	1466
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION A													
YES	510	348	751	172	739	560	417	440	397	668	367	647	6016
NO	338	219	427	139	479	308	258	290	230	410	241	326	3665
Blanks	166	107	111	48	132	111	99	95	65	168	102	111	1315
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 1													
Yes	382	292	523	164	480	402	315	303	295	476	293	459	4384
No	571	337	725	170	810	522	419	487	376	734	374	591	6116
Blanks	61	45	41	25	60	55	40	35	21	36	43	34	496
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 2													
Yes	223	198	321	116	269	249	177	196	163	301	184	258	2655
No	745	434	943	228	1036	694	562	602	516	916	496	797	7969
Blanks	46	42	25	15	45	36	35	27	13	29	30	29	372
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 3													
Yes	586	392	768	215	796	548	472	507	432	797	408	671	6592
No	344	230	473	110	468	350	253	275	224	386	245	355	3713
Blanks	84	52	48	34	86	81	49	43	36	63	57	58	691
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 4													
Yes	624	432	871	239	918	651	526	546	503	831	467	719	7327
No	293	181	363	86	347	243	182	234	156	347	177	304	2913
Blanks	97	61	55	34	85	85	66	45	33	68	66	61	756
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 5													
Yes	439	242	643	126	604	445	281	429	309	559	276	578	4931
No	507	396	616	212	702	479	459	368	366	643	391	481	5620
Blanks	68	36	30	21	44	55	34	28	17	44	43	25	445
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	Pct 10	Pct 11	Pct 12	TOTAL
QUESTION 6													
Yes	291	180	440	116	441	297	214	261	205	422	213	340	3420
No	23	427	776	203	821	585	482	510	445	747	430	673	6722
Blanks	100	67	73	40	88	97	78	54	42	77	67	71	854
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 7													
Yes	515	361	689	194	728	517	452	376	385	655	379	532	5783
No	392	243	535	126	537	357	258	390	274	524	264	487	4387
Blanks	107	70	65	39	85	105	64	59	33	67	67	65	826
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996
QUESTION 8													
Yes	740	483	1031	260	1037	717	574	630	538	960	547	840	8357
No	185	130	205	67	239	180	152	144	126	221	113	202	1964
Blanks	89	61	53	32	74	82	48	51	28	65	50	42	675
TOTAL	1014	674	1289	359	1350	979	774	825	692	1246	710	1084	10996

WARRANT FOR SPECIAL TOWN MEETING
DECEMBER 8, 1986
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable, or any other suitaole person of the Town of Chelmsford:

In the name of the Commonwealth, aforesaid, you are nereby requested to notify and warn the legal voters of saiu Chelmsford to meet in the McCarthy Middle School Auditorium on Monday evening, the 8th day of December 1986, at 7:30 p.m., then and there to act upon the following Articles, Viz:

ARTICLE 1. To see if the Town will vote to amend the General By-Laws, Article VII - Miscellaneous, Section 1. Regulation of Dogs, by deleting paragraph 5. Licenses fees in its entirety and substituting the following in its place:

5. LICENSE FEES

The fee for every dog licensed shall be as follows:

Five Dollars ($5.00) or every neutered male dog.
Five Dollars ($5.00) for every spayed female dog.
Five Dollars ($5.00) for every male and female dog.

Determination of licensing eligibility, dogs not required to be licensed, or refunding license fees, shall be determined as set out in Section 139.

The fee for every kennel license shall be as follows:

Ten Dollars ($10.00)	for every kennel license for 4 dogs or less
Twenty-five Dollars ($25.00)	for every kennel license for over 4 but not over 10 dogs.
Fifty Dollars ($50.00)	for every kennel license for over 10 dogs.

All the fees shall be increased by Five Dollars ($5.00) on the first day of the second month following the required licensing period, as outlined in Section 3 (a) of this By-Law, and by an additional Five Dollars ($5.00) on the first day of each succeeding month; or act in relation thereto.

Town Clerk

ARTICLE 2. To see if the Town will vote to amend the General by-Laws, by deleting Article II, Section 1. Time of Annual Meeting, in its entirety, and substituting the following in its place:

SECTION 1 TIME OF ANNUAL MEETING - The Annual Election shall be held on the First Tuesday of April and the Annual Town Meeting shall be held on the last Monday of the Same month.

or act in relation thereto.

Board of Selectmen

ARTICLE 3. To see if the Town will vote to amend the Chelmsford Zoning By-Law by deleting the present Zoning Map and substituting the redrafted Map proposed by the Planning Board, as filed with the Town Clerk, and displayed at the Special Town Meeting; or act in relation thereto.

Planning Board

ARTICLE 4. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, and/or transfer and appropriate from the Stabilization Fund, a certain sum of money to the appropriate salary line items to fund approved wage and salary increases in the following departmental accounts:

Police Department

and any other departmental budget recommended by the Board of Selectmen at Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 5. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, and/or transfer and appropriate from the Stabilization Fund, a certain sum of money to the appropriate salary line items to fund approved wage and salary increases in the following departmental accounts:

Accounting Department

and any other departmental budget recommended by the Board of Selectmen at Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 6. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the Stabilization Fund, transfer and appropriate revenue sharing funds, borrow and/or petition the Great and General Court to enact legislation to allow the Town to borrow, by bond or note a certain sum of money to engage engineers, contractors, attorneys, architects, and other necessary consultants and/or builders, for the purpose of preparing, designing and constructing a Senior Center and the preparation of all necessary documentation thereto, on the property under the control of the Board of Selectmen at the North School and being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951 and recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258, said contracts to be made under the supervision of the Board of Selectmen, and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreement thereto, contingent upon the Town voting to exempt the debt associated with this project on a question on the ballot at either a state or local election pursuant to Proposition 2 1/2; or act in relation thereto.

Board of Selectmen

ARTICLE 7. To see if the Town will vote to raise and appropriate and/or transfer and appropriate from available funds a certain sum of money to be used for the installation of a new flag pole on the North Common in Vinal Square, North Chelmsford, MA; or act in relation thereto.

Park Commissioners

ARTICLE 8. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, and/or transfer and appropriate from the Stabilization Fund a certain sum of money to prepare a new zoning by-law book, and to engage all engineers, attorneys and other necessary consultants thereto, and to execute all necessary and proper contracts and agreements, with said contracts and agreements to be under the supervision of the Planning Board; or act in relation thereto.

Planning Board

ARTICLE 9. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds and/or transfer and appropriate from the Stabilization Fund a certain sum of money to engage a private accounting firm to prepare an audit of the Towns financial records for the period ending June 30, 1986; or act in relation thereto.

Treasurer/Tax Collector

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds and/or transfer and appropriate from the Stabilization fund, a certain sum of money for funding the Town of Chelmsfords matching share of the new medi-care tax, which is deducted from the wages earned by newly hired employees after March 1, 1986; or act in relation thereto.

Treasurer/Tax Collector

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds and/or transfer and appropriate from the Stabilization Fund the sum of eleven thousand dollars ($11,000.00) the purchase of a new stainless steel sander for the use by the Highway Department and to execute all necessary and proper contracts and agreements thereto, with said contracts and agreements to be under the supervision of the Board of Selectmen; or act in relation thereto.

Board of Selectmen

ARTICLE 12. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds and/or transfer and appropriate from the Stabilization Fund a certain sum of money to the appropriate salary line items to fund approved wage and salary increases and expense allocations in departmental accounts to be recommended by the Board of Selectmen at the Special Town Meeting; or act in relation thereto.

Board of Selectmen

ARTICLE 13. To see if the Town will vote as follows:

To the Honorable Board of Selectmen of the Town of Chelmsford, Middlesex County, Commonwealth of Massachusetts:

We, the undersigned, being registered voters in and of the Town of Chelmsford, Massachusetts, pursuant to M.G.L.A. Chapter 39, Section 10, as amended and M.G.L.A. Chapter 40A, Section 5, as amended, request the insertion in the warrant for the Town Meeting to be next held, the following amendment to the Zone Map and Zoning By-Laws of the Town of Chelmsford, Massachusetts:

That the Zone Map and Zoning by-Laws be amended as follows:

"The Zoning Map and accompanying ordinance passed and as most recently amended entitled "Zoning By-Laws of the Town of Chelmsford" is hereby amended by establishing new lines and striking out the designation "Residential "B" " (RB) District, as shown on said zone map and substituting in place thereof new lines and designation "Residential Multiple Family" (RM) District, insofar as said zone map relates to the following described premises:

A certain parcel of land, situated on the southerly side of Littleton Road (Route 110), Chelmsford, Massachusetts, being shown as a parcel containing 15.1 acres on a plan of land entitled "Plan of Land in Chelmsford, Mass., surveyed for Joseph Solomont" Scale 1"=80', Feb. 8, 1957, Dana F. Perkins & Sons, Inc., Civil Engineers & Surveyors, Reading, Mass., which plan is recorded with Middlesex North District Registry of Deeds in Book of Plans 88, Plan 176, being bounded and described as follows:

NORTHERLY by said Littleton Road (Route 110), six hundred fifty-five and 97/100 (655.97) feet;

EASTERLY by land of Theodore W. Emerson, as shown on said plan, now or formerly land of Chelmsford Elks, Inc., nine hundred forty-eight and 40/100 (948.40) feet;

SOUTHERLY by land now or formerly of Harold Becker, one hundred three and 81/100 (103.81) feet, and also by land of Arthur Burtt, as shown on said plan, now or formerly land of Charles H. Hopkins, Jr., et ux, by three courses by a stone wall, a total distance of five hundred seventy and 78/100 (570.78) feet; and

WESTERLY by land of MacCormick, as shown on said plan, now or formerly of Old Chelmsford Garrison House Association, Inc., by two courses, in part by a stone wall, a total distance of seven hundred seventy-eight and 15/100 (778.15) feet, and also by land of Stockton as shown on said plan, two hundred thirty-seven and 24/100 (237.24) feet.

Petition

ARTICLE 14. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds, a certain sum of money for a feasibility study of parcels of land within the Town for purposes of constructing or expanding existing Public Library facilities, and for the preparation of preliminary architectural designs and drawings in connection therewith; or act in relation thereto.

Board of Library Trustees

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting

Given under our hands this 17th day of November , 1986.

John P. Emerson, Jr., Chairman

Dennis J. Ready, Vice Chairman

Bonita A. Towle, Clerk

Roger A. Blomgren

Henrick R. Johnson, Jr.

Selectmen of the Town of Chelmsford

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. November 20, 1986

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym; Harrington School Gym; Harrington School Gym; Westland School Cafeteria; Byam School Cafeteria; Westland School Cafeteria; Harrington School Gym; McCarthy Middle School Little Gymnasium; South Row School Cafeteria; South Row School Cafeteria; Westland School Cafeteria; McCarthy Middle School Little Gymnasium fourteen days at least before the time appointed for holding the meeting aforesaid.

William E. Spence
Constable of Chelmsford

A True Copy Attest, William E. Spence
William E. Spence, Constable of Chelmsford

SPECIAL TOWN MEETING
DECEMBER 8, 1986

The Special Town Meeting was called to order at 7:40PM by the Moderator Dennis McHugh, at the McCarthy Jr. High School Auditorium. The Moderator recognized the presence of a quorum, there were 424 voters present.

The Moderator explained the Town Meeting process, and the rules and regulations.

Selectman John P. Emerson Jr moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman John P. Emerson Jr. moved that the reading of the entire warrant be waived. It was so voted, unanimously.

UNDER ARTICLE 1 Town Clerk Mary E. St.Hilaire, moved that the Town vote to amend the General By-Laws, Article VII - Miscellaneous, Section 1. Regulation of Dogs, by deleting paragraph 5. Licenses fees in its entirety and substituting the following in its place:

5. LICENSE FEES

The fee for every dog licensed shall be as follows:

Five Dollars ($5.00) for every neutered male dog.
Five Dollars ($5.00) for every spayed female dog.
Five Dollars ($5.00) for every male and female dog.

Determination of licensing eligibility, dogs not required to be licensed, or refunding license fees, shall be determined as set out in Section 139.

The fee for every kennel licenses shall be as follows:

Ten Dollars ($10.00) for every kennel license for 4 dogs or less.

Twenty-five Dollars ($25.00) for every kennel license for over 4 but not over 10 dogs.

Fifty Dollars ($50.00) for every kennel license for over 10 dogs.

All the fees shall be increased by Five Dollars ($5.00) on the first day of the second month following the required licensing period, as outlined in Section 3 (a) of this By-Law, and by an additional Five Dollars ($5.00) on the first day of each succeeding month.

Pennryn Fitts, Member of the Dog Pound Committee, explained the article. The Board of Selectmen and the Finance Committee recommended the article. The Moderator asked for a voice vote on the article, motion carried, unanimously.

UNDER ARTICLE 2 Selectman John P. Emerson Jr. moved that the Town vote to amend the General By-Laws, by deleting Article II, Section 1. Time of Annual Meeting, in its entirety, and substituting the following in its place:

SECTION 1 TIME OF ANNUAL MEETING- The Annual Election shall be held on the First Tuesday of April and the Annual Town Meeting shall be held

on the last Monday of the same month.

Selectman Emerson explained that it was felt that more voter participation would take place on a Tuesday election day, rather then as the by-law presently reads on the first Saturday. The Finance Committee and Board of Selectmen recommended the article. The Moderator asked for a voice vote on the article, motion carried, unanimously.

UNDER ARTICLE 3 Chairman of the Planning Board John F. McCarthy, moved that the Town vote to amend the Chelmsford Zoning By-law by deleting the present Zoning Map and substituting the re-drafted Map proposed by the Planning Board, as filed with the Town Clerk entitled future land use/proposed Zoning Map Weston & Sampson Engineers, Inc. Revised November 11, 1986, and displayed at the Special Town Meeting.

Town Counsel James Harrington, moved the amend the article by adding that the proposed zoning map be amended on Parkhurst Road as set forth on a plan entitled "Parkhurst Road/Jean Avenue, Chelmsford, Mass."

Town Counsel then explained the purpose of the article. He stated that there were to be three changes to correct the master plan, that was passed at the Annual Town Meeting in April. The first change was located on the Sheehan property on Pine Hill Road. This is presently listed as public land, the Town did own it at one time with the intentions of building a school on the property, however it has since been sold back to the Sheehan Family and it should be listed as RB. The second change was to included the RB boundaries lines on a portion of land in East Chelmsford. The current map does not reflect this zone, it was omitted on the map.The third change is the amendedment. An area on Jean Avenue should be a CB Zone this acts as buffer to the IA district. Presently the IA district extends onto Parkhurst Road, the CB zone was omitted on the map. The Moderator asked for the Planning Board's recommendation. Thomas Firth, Member of the Planning Board gave the board's recommendation. The Planning Board held a Public Hearing on December 3, 1986 and voted in favor (6-1) of the proposed map changes. They also voted in favor (6-1) of the recommended amendment to the map. The Moderator asked for a voice vote on the article. Motion carried, unanimouly.

UNDER ARTICLE 4 Selectman Blomgren presented a brief explaination to the Town Meeting Body. Before asking for the Finance Committee's recommendation on this article, the Moderator made a point of order. He explained that he did not ask for a complete vote under article 3 and asked for reconsideration of article 3. Motion carried, unanimously.

UNDER ARTICLE 3 The Moderator explained that he must ask for a vote on the motion to amend the article to include the Parkhurst Road/Jean Avenue Amendement. Motion carried, unanimously. He then asked for a voice vote on article 3 as amended. Motion carried, unanimously.

The Moderator returned to Article 4.

UNDER ARTICLE 4 The Moderator asked for the Finance Committee's recommendation concerning the article. Chairman, Elizabeth Marshall stated that due to the last contract approved by the Board of Selectmen, the Finance Committee, felt that the requested figures were not out of line, and asked the Town Meeting Body to vote for the article. However she stated that the cycle is now complete, all future contracts should be negotiated by a professional negotiator this will avoid any political pressure, and what will be fair to the union personnel will be fair to

the Town as well. The Moderator asked for a voice vote on the article, motion carried, unanimously. The article reads as follows:

Selectman John P. Emerson moved that the Town vote to transfer and appropriate from line item 126. County Retirement Assessment the amount of seventy-eight thousand five hundred forty-five dollars ($78,545.00) and transfer and appropriate from free cash the sum of fifty-nine thousand nine hundred twenty-six dollars ($59,926.00) to the following salary line items and expense line items in the indicated specific amounts to fund approved wage and salary increases and expense allocations in the following departmental accounts:

DEPARTMENT	LINE ITEM	AMOUNT
Police	72. Salaries	$137,146.00
Police	73. Expenses	$ 1,325.00
	TOTAL	$138,471.00

UNDER ARTICLE 5 Selectman John P. Emerson Jr., moved that the Town vote to transfer and appropriate from free cash the amount of two thousand forty-three dollars ($2,043.00) to the specific amount to fund the approved wage and salary increase in the following departmental account:

DEPARTMENT	LINE ITEM	AMOUNT
Accounting	1.Salaries	$2,043.00
	TOTAL	$2,043.00

Town Counsel explained that this was a Clerical Union position that was updated per contract agreement. The Finance Committee recommended the figure. The Moderator asked for a voice vote, motion carried unanimously.

UNDER ARTICLE 6 Selectman John P. Emerson Jr., moved that the Town vote to borrow and/or petition the Great and General Court to enact legislation to allow the Town to borrow, by bond or note the sum of one million nine hundred eighty-seven thousand dollars ($1,987,000.00) to engage enineers, contractors, attorney's architects, and other necessary consultants and/or builders, for the purpose of preparing, designing and constructing a Senior Center and the preparation of all necessary documentation thereto, on the property under the control of the Board of Selectmen at the North School and being a portion of the property taken by the Town of Chelmsford by order of taking dated January 17, 1951 and recorded in the Middlesex North District Registry of Deeds, Book 1161, Page 258, said contracts to be made under the supervision of the Board of Selectmen, and moved that the Town vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreement thereto, contingent upon the town voting to exempt the debt associated with this project on a question on the ballot at the Annual Town election in the Spring of 1987 election pursuant to Proposition 2 1/2.

Steven Wojcik who is the architect for the proposed project, explained the article and answered questions from the Town Meeting Body. The Moderator moved to recess the meeting for ten minutes, for the purpose of checking the auditorium due to several people being able to smell natural gas. The meeting recessed at 8:20 PM.

The Moderator reconveined the meeting at 8:45 PM., and recognized the presence of a quorum. He stated that the Fire Department along with the gas company had done a complete check of the situation. They found that the problem might have been a result of the local cable company

filming the meeting, had a truck with it's engine running parked outside the door, and it had been corrected.

The Moderator asked if there was any more discussion to be heard under Article 6? The Board of Selectmen and the Finance Committee were in favor of the article. The Moderator asked for a voice vote, which left the chair in doubt. The following tellers came forward to conduct an hand count.

Jocelyn Anthony	Gail Klemmer	Carol Stack
Jack Peters	Bill Logan	Carl Olsson
Sandy Kilburn	Margaret Johnson	Ruth Delaney
	Scott Prescott	

The Moderator asked for a show of hands against the article. No hands were counted, the motion carried, unanimously.

UNDER ARTICLE 7 Eileen Duffy,Chairman of the Park Commission, moved that the Town vote to transfer and approporite from free cash the sum of five thousand two hundred dollars ($5,200.00) to be used for the installation of a new sixty foot (60') flag pole on the North Common in Vinal Square, North Chelmsford, Ma.

The Finance Committe and the Board of Selectmen recommended the article. Motion carried, unanimously.

UNDER ARTICLE 8 Chairman of the Planning Board, John F. McCarthy,moved that the Town vote to transfer and appropriate from free cash the sum of six thousand five hundred dollars ($6,500.00) to prepare a new zoning by-law book, and to engage all engineers, attorneys and other necessary consultants thereto, and to execute all necessary and proper contracts and agreements, with said contracts and agreements to be under the supervision of the Planning Board.

Kim McKenzie,Member of the Planning Board, read a recommendation from the Board, stating that the Planning Board unanimously supported the article. The Finance Committee recommended the article, stating that the present book needed to be updated as a result of the passage of the master plan at the Annual Town Meeting. The Moderator asked for a voice vote motion carried,unanimously.

UNDER ARTICLE 9 Treasurer/Tax Collector, James Doukszewicz, moved that the Town vote to transfer and appropriate from free cash and the sum of forty thousand dollars ($40,000.00) to engage a private accounting firm to prepare and audit of the towns financial records for the period ending June 20, 1986.

James Doukszewicz, explained that the State use to do the auditing of the Town's books. Now the responsiblity was manditory for the Town to hire an outside firm to conduct the auditing. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 10 Treasurer/Tax Collector, James Doukszewicz, moved that the Town vote to transfer and appropriate from free cash the sum of five thousand dollars ($5,000.00) for funding the Town of Chelmsfords matching share of the new medi-care tax, which is deducted from the wages earned by newly hired employees after March 1, 1986.

The Finance Committee and the Board of Selectmen recommended the

article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 11 Selectman John P. Emerson Jr., moved that this article be dismissed. He said that it was to purchase a sander for the Highway Department. However, the article never went before the Capital Planning Committee, therefore it could not be acted upon. Motion carried, unanimously.

UNDER ARTICLE 12 A discussion took place. Pennryn Fitts of the Personnel Board explained that this was the 3.5% increase due to those employees who came under the jurisdiction of the Personnel Board as a result of the union employees settlement. Paul McCarthy, of the Board of Health, moved to amend the article by increasing the total by $2,872.16. This is the amount needed to include the employees of the Board of Health. He stated that these employees do not come under the Personnel Board, or any union, and that they should receive the same increase. More discussion took place. The Finance Committee did not recommend the motion to amend. The Moderator asked for a voice vote on the motion to amend. Which left the chair in doubt. He then asked for a show of hands, motion carried to amend. He then asked for a voice vote on the main motion as amended, motion carried, unanimously. The article reads as follows:

Chairman of the Personnel Board, Alan Murphy, moved that the town vote to transfer and appropriate from Free Cash the sum of fifty thousand seven hundred and seventy-nine dollars and sixteen cents ($50,779.16) to the following salary line items and expense line items in the indicated specific amounts to fund approved wage and salary increases and expense allocations in the following departmental accounts:

DEPARTMENT	LINE ITEM	AMOUNT
Accounting	1.	1,938.
Assessors	7.	905.
Cemetery	12.	1,037.
Council on Aging/Town Aide	19.	2,126.
Highway	41.	4,252.
Inspection	51.	3,576.
Library	59.	11,360.
Park	66.	1,037.
Planning Board	70.	3,630.
Police	72.	10.978.
Selectmen	91.	2,588.
Town Clerk	102.	724.
Town Enineering	105.	2,085.
Treasurer/Collector	109.	761.
Veterans Bennefits	118.	910.
Board of Health		2,872.16
	TOTAL	50,779.16

UNDER ARTICLE 13 Gary Marchand, Petitioner of the article, asked for permission from the Town Meeting Body for two non-voters to speak about the article,they were Attorney Hall, and Architect Weinmayr. The Moderator asked for a voice vote, motion carried. Attorney Hall explained that the area in question was the 15.1 acre site on the present Chelmsford Drive-in Theater. The area was presently zoned RB District (Residential) and make it an RM District (Multiple Family), and build an 108-unit condominium complex. Architect Weinmayr did a presentation to the Town Meeting Body explaining the proposed project in detail. A number of residents who lived in the area spoke against and

in favor of the proposal. A discussion took place. The Moderator asked for a voice vote, which left the chair in doubt. He asked for a show of hands, motion defeated.

UNDER ARTICLE 14 Library Trustee, Susan Cantin, moved that the Town vote to transfer and appropriate from free cash the sum of fifty thousand dollars ($50,000.00) for a feasibility study of parcels of land within the town for purposes of contructing or expanding existing Public Library facilities, and for the preparation of preliminary architectural designs and drawings in connection therewith.

Susan Cantin explained the article. The Finance Committee supported the article. The Board of Selectmen recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

The Moderator moved to adjourn the meeting seeing that there was no need for further business. Motion carried, unanimously. The meeting adjourned at 10:00 PM.

Dennis McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk